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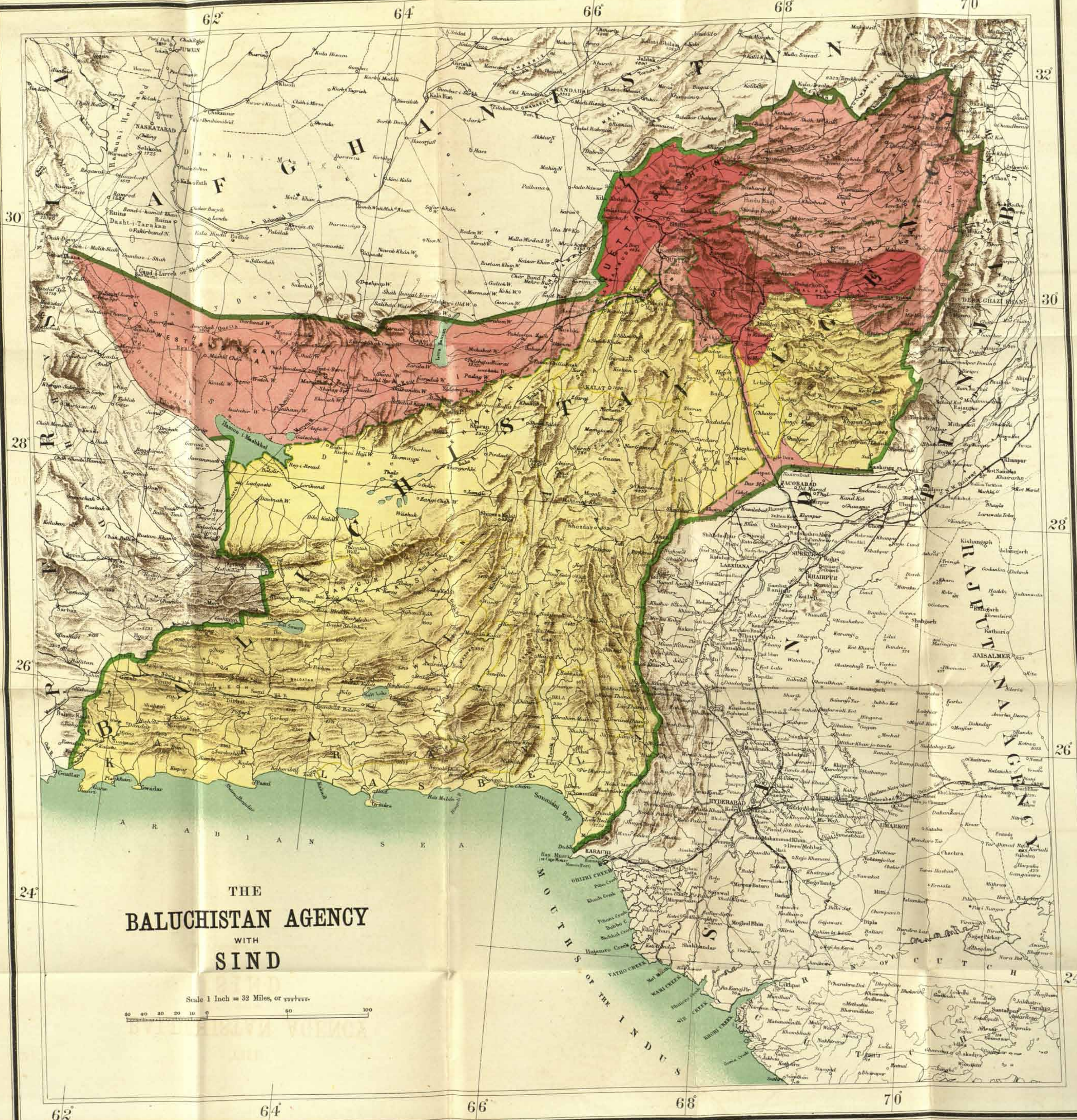
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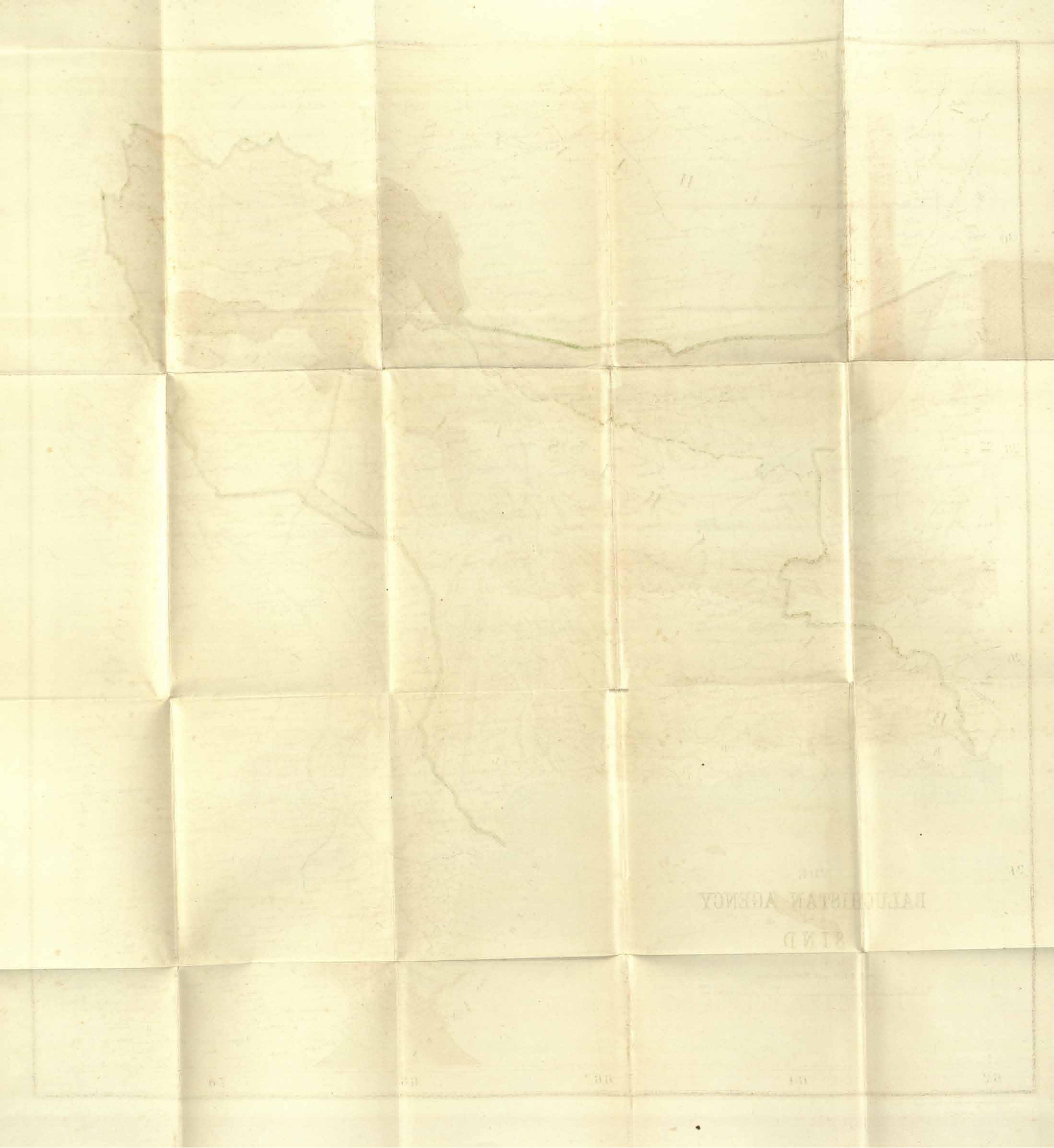


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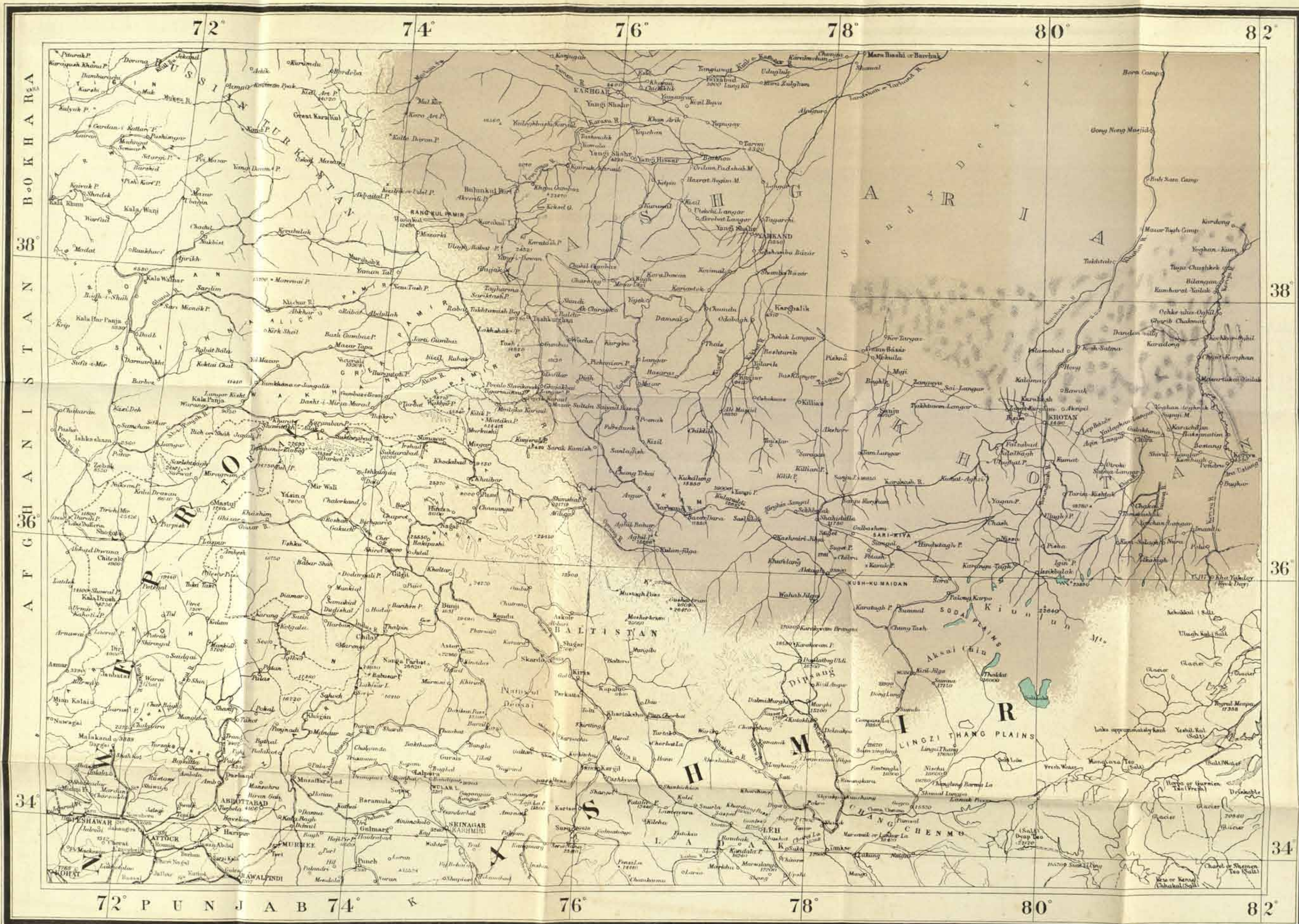
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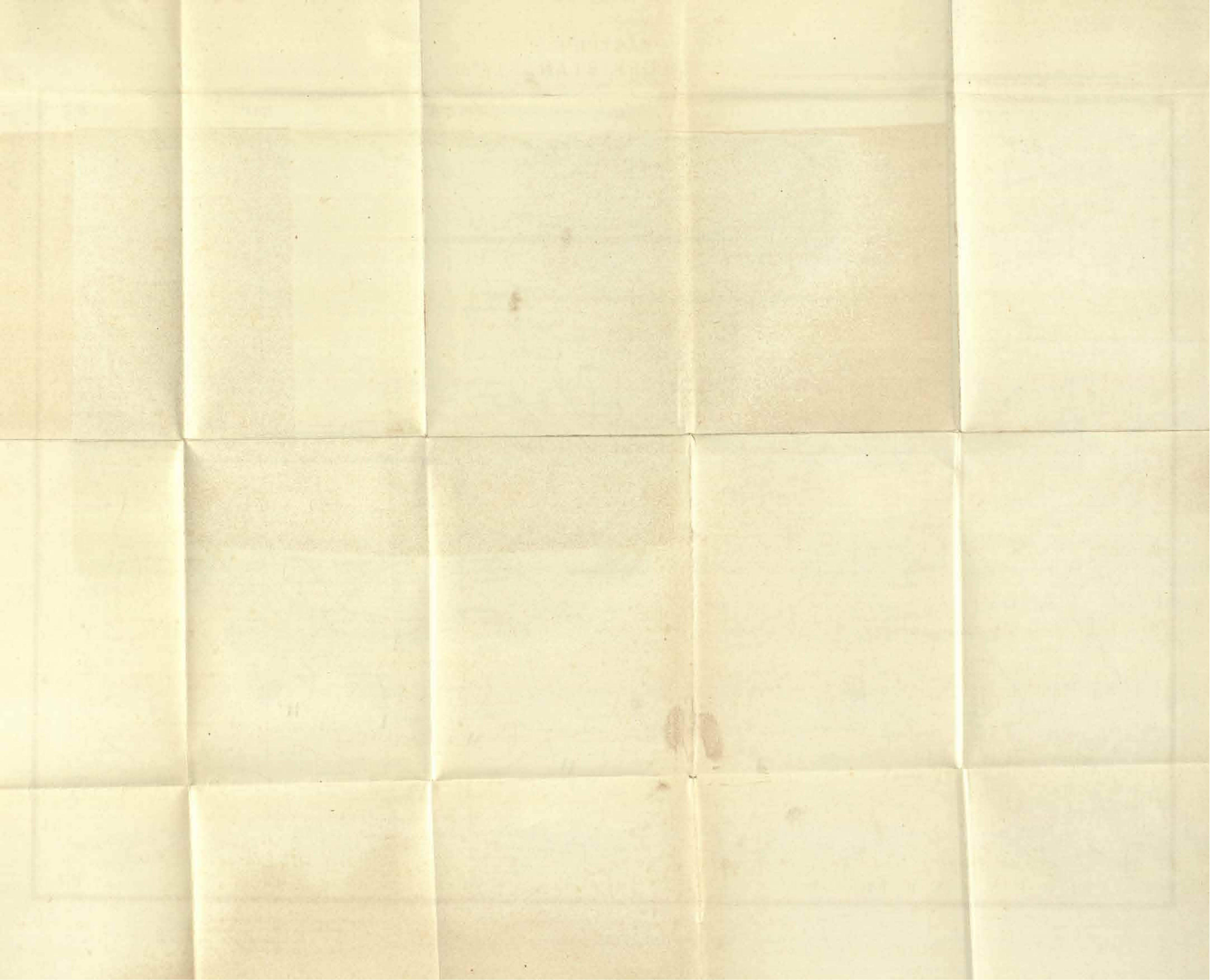
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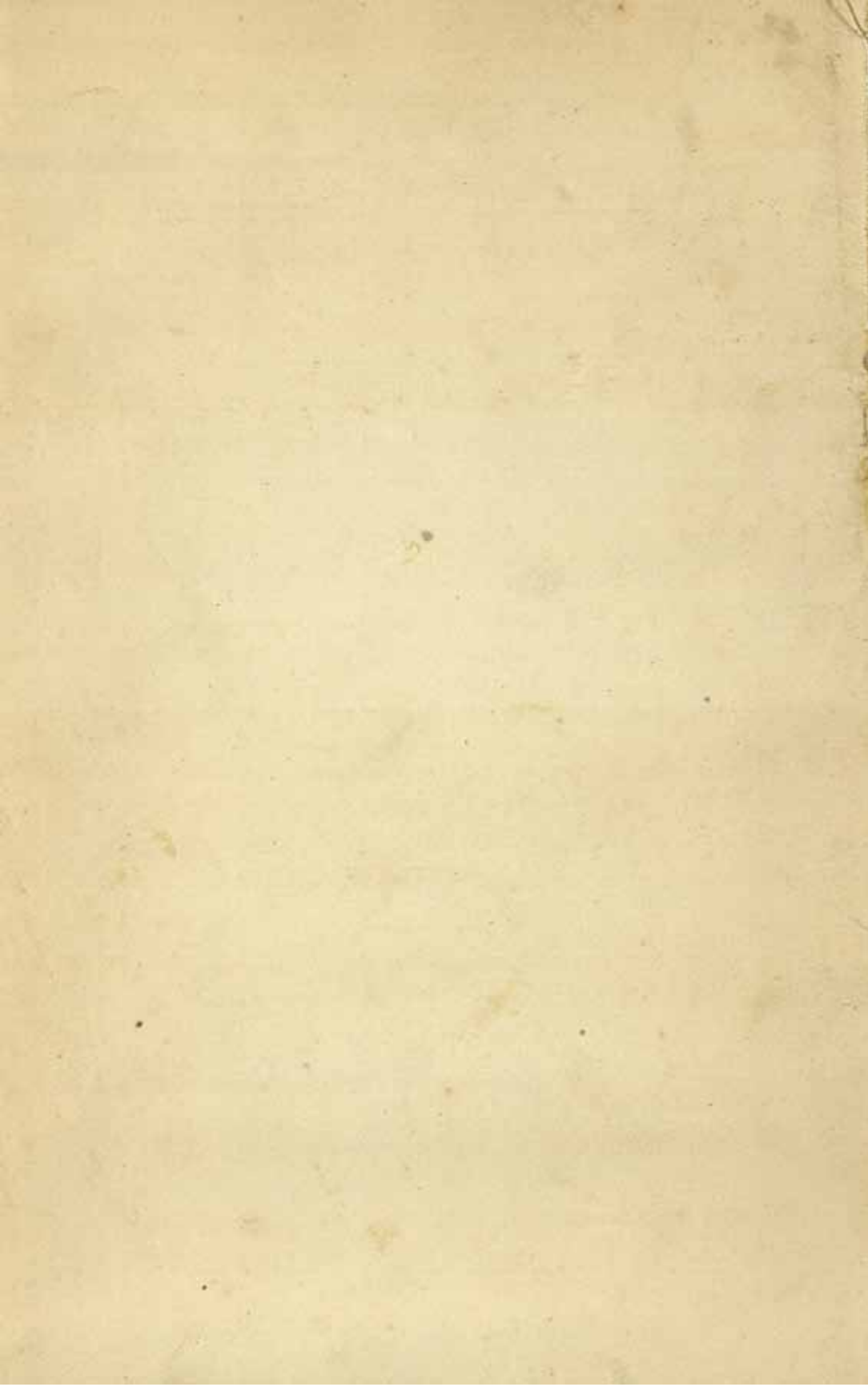


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NOT TO BE ISSUED

A COLLECTION OF  
TREATIES, ENGAGEMENTS  
AND SANADS

RELATING TO INDIA AND  
NEIGHBOURING COUNTRIES

14011

COMPILED BY

C. U. AITCHISON, B.C.S.

UNDER-SECRETARY TO THE GOVERNMENT OF INDIA  
IN THE FOREIGN DEPARTMENT



VOL. XI. A. No 5610

CONTAINING

THE TREATIES, &c., RELATING TO  
THE NORTH-WEST FRONTIER PROVINCE,  
BALUCHISTAN, JAMMU AND KASHMIR, EASTERN  
TURKISTAN AND AFGHANISTAN

*Revised and continued up to the 1st June 1906  
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## PART I.

# TREATIES, ENGAGEMENTS, AND SANADS

relating to

THE TERRITORIES COMPRISED WITHIN, OR IN POLITICAL  
RELATION

with the

CHIEF COMMISSIONERSHIP OF THE NORTH-  
WEST FRONTIER PROVINCE.

The North-West Frontier Province was inaugurated on the 9th November 1901. It was formed by taking away from the Lieutenant-Governorship of the Punjab the Mansahra, Abbottabad, and Haripur tahsils of Hazara, the Peshawar and Kohat districts, the Bannu and Marwat tahsils of the Bannu district, and the Tank, Dera Ismail Khan, and Kulachi tahsils of the Dera Ismail Khan district, with the exception of 33 villages at the southern extremity of the Kulachi tahsil. One of these villages, Naranji, was subsequently, in 1902, transferred to the North-West Frontier Province.

The Chief Commissionership also includes in its control the Dir, Swat and Chitral, the Khyber, the Kurram, the Tochi, and the Wana Political Agencies.

The line of the north-western frontier of the province may be taken to start from the head of the Kaghan valley. It then passes round the north-western boundary of Hazara and along the left bank of the Indus to Torbela, where it crosses the river and winds round the northern and north-western boundary of the Peshawar valley to the Khyber pass. Leaving the Khyber pass it skirts the Afridi hills as far as Kohat, and passes round the western boundary of that district and along the Samana ridge overlooking the Miranzai valley. The frontier then passes round the Wazir hills by Bannu to

the Gomal river, where it meets the Baluchistan Agency. To the west of such a line there are numerous independent or semi-independent tribes, who have a total of over 180,000 fighting men. All these tribes, from Hazara to Dera Ismail Khan and the northern limits of the Baluchistan Agency, are, with a few insignificant exceptions, of Pathan origin.

Before describing in detail the relations subsisting between the British Government and the principal tribes, it will be convenient to give a short general sketch of border history.

The Sikh method of administering the border tribes was of the loosest description. Strong forces were maintained at the head-quarters of districts, round which a semblance of authority existed; next followed a belt of country owning a doubtful allegiance, and paying revenue at uncertain intervals under compulsion; at a further distance from the garrisons the shadowy power of the Sikh governors faded away till it was difficult to say whether the villages were independent or not; and lastly came the tribes who openly asserted their independence. The Sikhs looked mainly to the realisation of the revenue; for the rest the tribes conducted matters in their own way, and retained their own wild laws and relations with their neighbours in the hills. Between the independent hill country and the settled tracts of Sikh days there intervened a kind of debateable country, the residents of which, save for the periodical visits of the revenue-collecting Sikh armies, were practically independent; with their sufferings at the hands of the hillmen the Sikhs had no concern, and they were free to retaliate as they pleased on their enemies. The Sikh armies rarely, if ever, penetrated so far as to inflict punishment on the tribes in the hills. The latter consequently fancied themselves unconquerable, and considered the plains their prey. On the annexation of the Punjab in 1849 the margin of the settled country was pushed forward to the verge of the frontier line, and the incursions of the hill men brought them at once into conflict with a Government whose resources and power they were unable to realise without the palpable lessons of retaliatory expeditions.

The frontier to the north was disturbed in the years 1849 to 1851 by Mohmand marauders along the border of the Peshawar district from the Swat to the Kabul rivers, and in the south by a sudden attack by the Kasranis on the town of Dera Fateh Khan. Further incursions and raids followed in the next two years. The Saiyids of Kaghan, a remote glen of the Hazara district, refused to pay revenue in 1852, but speedily gave way before a show of force. In December 1851 Messrs. Carne and Tapp, of the Salt Department, were cruelly murdered by Hasanzais on the south-western border of Hazara, within the British boundary. A force subsequently entered the Hasanzai settlements on the Black Mountain and exacted retribution.



In the Peshawar district the Mohmands continued to rob and plunder, led on by the Khan of Lalpura, who had been hostile during the occupation of Afghanistan in 1839, and had been deposed, but had regained his position on the departure of the British troops in 1841. A force from Peshawar destroyed the border villages of the Mohmands, and forts were built at Michni and Shabkadar to control them. After this the Mohmands, 6,000 strong, made an incursion into the Peshawar district, but were defeated with loss by a small detachment of British troops; they then made a temporary peace.

In the Kohat district the tract of Miranzai, a narrow valley to the west of Kohat, was annexed in 1851 at the earnest entreaty of the inhabitants. The Wazir and Shirani tribes gave some annoyance on the Kohat and Bannu border, especially the former, who, in 1852, attacked the village of Bahadur Khel in order to plunder the salt mines. They were repulsed by the military police, and a fort was built at Bahadur Khel. Later in the year a successful raid was made on the Umarzai section of the Wazirs for this offence. Further south the Bozdars in force attacked a detachment of the 4th Punjab Cavalry at Vidor, near Dera Ghazi Khan: but the villagers turned out and routed the marauders. In March 1853 it was resolved to punish the Shiranis and Kasranis. The principal villages of these tribes were destroyed, and they received a salutary lesson, which had a marked effect on their future conduct. In 1853 the Afridis of the Kohat and Jowaki passes also gave some trouble. After a time they gave in, agreeing to keep the Kohat pass open for trade in consideration of a fixed allowance. In February 1855 the Basi Khel Afridis made an unprovoked attack upon an officer who was encamped in British territory near their settlements. They were immediately blockaded from the Peshawar district, and twice punished by attacks on their villages. After being excluded from British territory for a year, and after being heavily punished in the expeditions, they submitted and made amends for their conduct. In this year the behaviour of the Michni Mohmands again led to the destruction of their strongholds and to the confiscation of the jagirs they had hitherto enjoyed in the Peshawar district. The Orakzais, on the border of the Kohat district, were punished for misconduct during the year; it was also found necessary to reduce the newly annexed valley of upper Miranzai and the Kabul Khel Wazirs.

Throughout the crisis of 1857 the behaviour of the frontier tribes was excellent, and numbers flocked down to take service. The wanton murder of Captain Meham and raids by the Kabul Khel Wazirs in 1859 led to an expedition into their settlements, in the course of which the clan was punished and the murderers were hanged shortly afterwards. In the spring of 1860, the Mahsud Wazirs were punished in consequence of a bold raid on



the town of Tank. The British troops, repelling a resolute night attack on their camp by the Mahsuds, marched through the Wazir country, and after some demur the Mahsuds accepted the terms offered to them.

In the year 1863 occurred the first serious trouble on the frontier. From a time before the annexation of the Punjab a colony of Hindustani fanatics, the relics of the party of Saiyid Ahmad, the Wahabi, who held the city of Peshawar for a short time during the reign of Ranjit Singh, had lived at Sitana on the Indus river. They professed to be preparing for a holy war and received money and recruits from Hindustan and Bengal. Their presence near the British border being objectionable, they were expelled from Sitana in 1858. They then moved to Malka, in the Mahaban range, which flanks the north-eastern corner of the Peshawar district. As the peace of the border had for some years been disturbed by their fanatical operations, it became necessary to eject them from that part of the country. A force of 5,000 men advanced in October 1863 up the Ambela pass with the intention of reaching Malka by a circuitous route. A temporary check converted what might have been an easy march to Malka and back into two months' severe fighting in the difficult country at the crest of the pass. The tribes had time to collect, and a large confederacy, numbering from 15,000 to 20,000 men, was opposed to the troops, the conflict causing much excitement on both sides of the Peshawar border. By December 1863, however, all opposition was overcome; the combination was broken up, and Malka was destroyed. The Wahabis retired to a village called Palosi, higher up the Indus.

The Mohmands took advantage of the Ambela campaign to enter the Peshawar district in force, led by their Khans. They were, however, easily defeated with loss. Since then they have settled down to peaceable relations with the British Government, which have been interrupted only by isolated acts of offence, the chief being the murder of Major Macdonald, Commandant of Fort Michni, in 1873, and an attack upon a survey party which penetrated into the Mohmand hills during the late Afghan war. In both cases full punishment was inflicted upon the offending sections.

The next four years after the Ambela campaign, from 1864 to 1868, were a period of almost unbroken tranquillity on the frontier. In October 1868 the unsettled condition of the Agror valley, on the western border of the Hazara district, and the hostile attitude of the neighbouring independent tribes, terminating in an attack on the police post of Oghi in Agror, made it necessary to send a force for the punishment of the inhabitants of the Black Mountain range. This was effective and met with but trifling resistance.

From 1869 to 1877 occasional outrages were committed, and clans were coerced by blockades or reprisals, but the affairs were relatively unimportant and do not need special notice. These years witnessed the first organisation of a frontier militia for the defence of the border. In 1876-77 the blockade of the Kohat pass Afridis caused some excitement. The expedition against the Jowakis that followed is remarkable, partly for the number of troops employed, but chiefly as being the first occasion on which the revolution effected by the breech-loader in border warfare became apparent.

From 1877 to 1881 the frontier was abnormally disturbed, as it was impossible that the strained relations of the British Government with the Amir, Sher Ali Khan, and the war in Afghanistan, should not re-act upon the tribes. In 1877 a raid on the Yusafzai border by Bunerwals, instigated by Ajab Khan, a leading Khan in the Peshawar district, for which he was hanged, exposed the evils of the system, which has now been abandoned, of employing middlemen, residing in British territory, to conduct relations between British officers and the frontier tribes. The course of the Afghan war was also marked by raids on the Hazara border; attacks on the line of communications in Kohat; and the burning of Tank by Mahsud Wazirs. The Hazara and Kohat tribes were punished by fines and blockades; the Zaimushts of the Kohat district were coerced by an expedition; and an expedition in force was sent in 1881 against the Mahsud Wazirs, who were compelled to make the reparation demanded. On the withdrawal of British troops from northern Afghanistan and the Khyber in October 1880, the pass was made over to the Afridis, who engaged to keep it open, receiving allowances therefor, with the aid of a corps of Jezailchis raised from the tribe.

Disturbances in the Buner country began in 1884, and were not settled until 1887; expeditions were sent against the Black Mountain tribes in 1888 and 1891, while in the latter year another one was undertaken in Miranzai in the Kohat district. In 1897 serious tribal disturbances occurred. Commencing in the Tochi, where the Political Officer's escort was treacherously ambuscaded at Maizar, they spread over the whole of the northern frontier, necessitating a series of punitive expeditions on a large scale.

In 1901-02, active operations were undertaken against the Mahsuds, who had for some time been under passive blockade, and in the late winter of 1902 the Darwesh Khel Wazir country was visited by columns as a reprisal for a long series of offences committed by these tribes and by outlaws whom they had harboured.



Much progress has been made in strengthening the defence of the border. In the Border Military Police Corps the Silladari system has been abolished, and these corps have been brought to a considerable stage of efficiency.

The Khyber Jezailchis have developed into the militia corps known as the Khyber Rifles, and, with the occupation of the Kurram, sanction was given in 1894 to raise the Kurram Militia to hold the valley. Two militia corps known as the Northern and Southern Waziristan Militias were raised in 1900 to hold the Tochi and Wana agencies, respectively. The last regular troops were withdrawn from these agencies in the autumn of 1904, and with the exception of the Dir, Swat and Chitral Agency, the remaining agencies in the province are now garrisoned entirely by militia.

### (I) PESHAWAR FRONTIER.

The principal tribes with which the British Government has had dealings on the northern or Peshawar division of the frontier are the Swatis, Yusufzais, Gaduns, Mohmands, Afridis, Orakzais, Zaimushts and Turis, each of whom will be noticed in the following narrative.

#### 1.—SWATIS.

The Swatis are not pure Pathans, but appear to be of Indian origin. They formerly possessed the territories extending from the western branch by the Hydaspes to near Jalalabad. They were gradually confined to narrower limits by the Afghan tribes. Retiring before the invasions of the Yusufzais, who wrested from them Swat and Buner, they crossed the Indus and settled in the tracts which they now occupy, *vis.*, Alahi, Nandihar, Tikri, and the northern glens of the Hazara district, Kaghan, Bogarmang, Konsh, Agror, and the Pakli plain. This migration was led by Saiyid Jalal Babu in the beginning of the sixteenth century.

*Alahi.*—Alahi is the mountainous country adjoining Kohistan, and marching with Kaghan and the northern border of the Bogarmang glens. It is occupied by a clan of Swatis called Tor or Thor, who do not possess shares in the rest of the Swati country. Here, as in the rest of the Swati possessions, the Saiyids and other religious fraternities hold about one-fourth of the district.

In 1868, during the Black Mountain expedition, the Alahiwalis attacked one of the survey camps. They were summoned to come in and answer for this, but never did so.

In November 1874 the Alahiwalis under Arsala Khan, in prosecution of a feud with the Kohistanis, violated British territory. Retaliatory

measures were taken and a blockade established. Finally, on the 24th May 1875, the jirga of the Alahiwalas came in, apologised, and paid a fine. At the same time they entered into a written Agreement (No. 1) for the maintenance of friendly relations for the future, and for the surrender of property stolen from British territory. Arsala Khan himself did not, however, tender his submission, and the agreement was never acted up to.

In November 1878 Arsala Khan attacked Battal in the Konsh valley, carrying off some Hindu men and women, British subjects. This and other raids committed in the succeeding month under the leadership of Khawas Khan, son of Abbas Khan, the freebooter, were attributed to personal influences mainly connected with the imprisonment of Abbas Khan (see *infra*). The Alahiwalas were thereupon closely blockaded. In February 1879 Arsala Khan menaced the border at the head of a large gathering, but, being threatened by the Swatis of Pakli, he retired and dispersed his followers. In 1880 the Alahiwalas gave in and surrendered the Hindus captured at Battal. The attitude of Arsala Khan, who established his authority in Alahi, then became for some time more satisfactory.

In 1887 the Mada Khel Miyans, who live at the head of Alahi, made a raid on pastures on the mountains on the Bogarmang border and carried off cattle worth several thousand rupees. During the Black Mountain expedition of 1888 Arsala Khan and the Alahi jirga were summoned to attend the British camp to make satisfaction for this and for the raid on Battal in 1878, as yet unpunished. Lenient terms were offered to them; but, as Arsala Khan remained obdurate, a force crossed from Nandihar to Alahi by the Gorapher route on the Chaila range and burnt Pokal.

Arsala Khan's predominance in Alahi was challenged by his rival, Bahadur Khan of Shakargah. After desultory fighting a truce was patched up, but Arsala's power and influence received a serious check. Simultaneously his attitude towards Government became more friendly. Arsala Khan has steadily refused to make submission or to visit British territory, but he was informed in 1891 that the British Government no longer had any claim against him personally, and the hope was expressed that he would continue to be friendly and restrain his followers. He is now an old man, nearly blind and most of his work has fallen into the hands of his son, Ghazi Khan. The treaty between Arsala Khan and Bahadur Khan still holds, but the two chiefs are not on the best of terms. Of late the attitude of the Alahiwalas has been friendly and they have given no trouble. During the summer they carry on a considerable trade with British territory, and have thus every inducement to keep the peace.



*Nandihar.*—Nandihar borders on the Hazara valley, of Konsh, between Agror and Bogarmang. For some years prior to 1877 this frontier was infested by a band of outlaws under a noted freebooter, Abbas Khan. In that year the gang was broken up, and Abbas Khan was captured in British territory and imprisoned.

The Swatis of Nandihar belong to four sections—Khan Khel, Dodal, Panjghol, and Panjmirai. The leading Khan, Ghulam Khan, son of the late Amir Khan of Bhatagram, is a Darbari of Hazara, and has a jagir in the British district of Hazara.

The Nandiharis are ordinarily well-behaved, they occupy a fertile valley to which access is easy, and all their headmen either own land in British territory or have relatives living there. In 1888 a jirga of the chief Malik entered into an Agreement (No. II) to prevent their clansmen from committing offences in British territory and to surrender property stolen or make reparation.

*Tikri.*—Tikri adjoins Konsh and Agror. The inhabitants belong to three principal clans,—Ashtor, Malkal, and Naror. For some years before 1887 men from Tikri, and the neighbouring Black Mountain glens, which are known as Pariari or Pharari, and are occupied by Saiyids and Chagarzais, had joined in raids on British territory.

Tikri was occupied in 1888, during the Black Mountain expedition, and a fine of Rs. 1,000 was levied from the chief men. Since then they have given little trouble. They entered into an Agreement (No. III) for the good behaviour of their clansmen in November 1888.

The principal men, Hakim Khan of Trand and Abbas Khan of Chirmang, still maintain the feud which has continued for years between the two families.

*Deshi.*—Deshi lies on that part of the eastern face of the Black Mountain which lies north of Agror. It does not actually touch the British frontier.

The Deshis took part with the other Black Mountain tribes in 1868 in the invasion of the Agror valley, and a fine of Rs. 1,000 was exacted from them for their share in these disturbances. In 1876 they sent in their jirga to testify their good-will to the British Government. Since then the tribe, which is a small one, has been well behaved.

In 1892, after the Black Mountain expedition of 1891, in connection with the settlement made with the Isazai tribe of the Yusafzais, the Deshis, Tikriwals and Nandiharis were granted annual allowances of Rs. 1,000, on condition of rendering general service when required.



## 2.—YUSAFZAIS.

This tribe is divided into two principal sections, called *Mandan* and *Yusaf*, which are descended from a common ancestor. In each section there are divisions and sub-divisions, till ultimately the component units of the section are reached in individual families.

1. *Mandan*.—The Mandan section inhabits both the Yusafzai plain within British border and independent territory beyond it; its population may be estimated at 140,000 souls, of whom 30,000 are fighting men. The section has several main divisions, among them being the *Usmansai*, *Utmanzai*, and *Razar*.

The *Utmanzai* division of this section occupies the southern slopes of the Mahaban mountain on the right bank of the Indus; the clans which compose it are numerically weak, having only about 1,200 matchlock-men. The Utmanzais of Kabal and Kya gave every assistance to Sir Sydney Cotton's force in his operations against the Hindustani fanatical Muhammadans of Sitana in 1858. Saiyid Ahmad Shah, the founder of the colony of Sitana, was a native of Bareilly, and at one period of his life the companion in arms of the celebrated Amir Khan of Tonk. His doctrines were essentially those of the Wahabis. In 1824 he arrived amongst the Yusafzai tribes on the Peshawar border, and proclaimed a religious war against the Sikhs, but was defeated and fled to Swat, and took refuge with Fateh Khan of Panjtar. Having succeeded in attaching to himself the Pathans, he was for several years successful in his struggles with the Barakzai Sardars, but in 1829 a general insurrection, produced by his oppressive exactions, took place among the Pathans, many of his followers were massacred, and he was compelled to flee to Hazara. His followers again rallied round him there, but were completely defeated in 1830 by a force under Sher Singh, and Saiyid Ahmad Shah fell in the action. A portion of his followers found their way to Sitana, a village belonging to Saiyid Akbar Shah, who had served as a treasurer and counsellor of Saiyid Ahmad. After the annexation of Peshawar the Akhund of Swat prevailed on the people of that valley to receive Saiyid Akbar Shah as their temporal ruler; he died in 1857. Though the Hindustanis were known to have aided the Hasanzais in an attack made by them in 1852 on the territory of the Nawab of Amb,\* no actual collision took place with them till April 1858, when, in order to punish them for an attack on the camp of a British officer near the border, a force of British and Native

\* The Nawab of Amb holds lands on both sides of the Indus; on the right bank he has Amb and a small bit of hill country round it; in British territory cis Indus he holds Tanawal on a kind of feudal tenure. He is allowed to administer this tract, about 200 square miles.

troops, 5,000 strong, under Sir Sydney Cotton, was despatched against them. The buildings at Sitana and also at Panjtar, Chinglai and Mingal Thana, where the fanatics had been invited by Mukarrab Khan, son of Fateh Khan of Panjtar, were destroyed, and the Hindustanis were expelled from Sitana. The fanatics subsequently re-settled at Malka in the Amazai territory on the north-western slopes of Mahaban, and in the early part of 1861 occupied Suri in the vicinity of Sitana and resumed their former depredations on British territory. It therefore became necessary to take steps against them, and the Utmanzais were called to account for permitting them to re-settle and to pass through their country when proceeding to, and returning from, British territory. A blockade was instituted, and soon afterwards these clans expressed themselves willing to submit to any terms demanded of them. After some interval they agreed (No. IV) to pay a fine of Rs. 1,000; to close their country against the Sitana fanatics and other robbers; and to cease from levying certain oppressive dues from traders proceeding up and down the Indus.

The Utmanzais have since continued to be on the friendliest terms with the British Government, and were practically unaffected by the general fanaticism of 1897. Their internal feuds and consequent war with the Salar Gaduns led to some villages of both tribes being put under a short blockade in 1901. The feuds were settled by the end of that year and the blockade removed.

The *Amazai* clan of the Utmanzai division was among the first to join the Hindustanis and Bunerwals in their opposition to the advance of the British troops under Sir Neville Chamberlain in the Ambela campaign of 1863, the object of which was to drive the Hindustani fanatics out of Malka, where they had returned after the blockade of the Utmanzais and Gaduns in 1861. The Amazais, after a show of resistance, were pacified by the Buner Chiefs, joined with them in burning Malka, and in January 1864 entered into Agreements (Nos. V and VI) to exclude the Hindustanis altogether from their limits.

The Amazai took no part in the disturbances of 1888 or 1891-92. They kept their agreement to exclude the Hindustani fanatics from their territory until 1893, when Maulvi Abdulla, the leader of the colony, again entered into negotiations, as a result of which the colony was allowed to re-settle in Amazai country. In the altered circumstances no notice was taken of the colony's remove, but the Amazais were from time to time given to understand clearly that they were responsible for the behaviour of the colony. In 1898, at the time of the Buner expedition, the colony moved for safety from Nagri, their head-quarters in Mubarak Khel Amazai



territory, to Batara. After the expedition it returned to Mubarak Khel country, and the latter were again informed that, if they gave shelter to the colony, they were absolutely responsible for its behaviour.

During the disturbances of 1897 the Amazais gave little trouble, and since then they have remained quiet.

II. *Yusaf*.—The Yusaf section of the tribe inhabits the hills to the north of the Peshawar district. It contains several sub-divisions, whose fighting strength numbers about 73,000 men.

- |               |  |              |
|---------------|--|--------------|
| (1) Isazai.   |  | (3) Malizai. |
| (2) Iliaszai. |  | (4) Ranizai. |
| (5) Akazai.   |  |              |

To the (1) *Isazai* sub-division belong the *Hasanzai*, *Akazai* and *Mada Khel* clans. These clans live on both sides of the Indus : those cis-Indus on the western slopes of the Black Mountain ; those trans-Indus immediately opposite to it

In November 1851 the Hasanzais murdered Messrs. Carne and Tapp, two officers of the Salt Department. To punish this crime a force under Colonel Mackeson was sent against them in December 1852, and their villages and stores of grain were burnt. The councils of the tribe did not, however, come in or tender their submission. Bostan Khan, Minister of the Nawab of Amb, who had plotted the murder, was sent a prisoner to Lahore, where he died. After this lesson the Hasanzais abstained from aggression till August 1863, when they made a raid in force on some Tanawal villages. It was intended that the troops employed for the expulsion of the Hindustani fanatics at Malka should cross the Mahaban to the Indus and punish the Hasanzais ; but the plan was never executed. Subsequently, however, in 1864 the clan entered into Engagements (No. VII), which they kept until July 1868, when, in concert with the Akazais and the Chagarzais, a clan of the Malizai sub-division, they attacked a British police post at Oghi in the Agror valley. A small force under Colonel Rothney was at once despatched from Abbottabad, and was joined on arrival at Oghi by a contingent under the command of the Nawab of Amb. The bold front shown by these troops prevented the occupation of the Agror valley by bands of plunderers from the adjacent hills, and in the following October a force of 14,500 British and Native troops with 26 guns, under the command of Brigadier-General Wilde, including a contingent furnished by the Maharaja of Kashmir, in accordance with the provisions of the treaty of Amritsar, was despatched against the Black Mountain tribes. The resistance offered was trifling, and the severest punishment could have been inflicted on them. Their submission was, however, accepted, the Akazais being informed that the village of Shahtut within the British frontier, which they had hitherto



held as an independent village and revenue-free, would be in future assessed and held by them as British subjects. The attack on Oghi was traced to the instigation of Ata Muhammad Khan, Khan of Agror, who was for various reasons disaffected towards the British Government. He was consequently removed in 1868 to Lahore as a State prisoner; his jagir of the annual value of Rs. 1,608 was confiscated, and his estates were placed under the management of a British officer. Raids continued to be made by the Hasanzais and Akazais during his confinement; and it was found necessary to blockade them and burn Shahtut. Ata Muhammad Khan was permitted to return to Agror in 1870, and was reinstated in the possession of his estates, but not of his jagir, on condition that he was to be responsible for the internal peace of the valley as well as for the security and protection of the frontier, and with a warning that any hostile or treasonable action on his part against the British Government would entail his dispossession and removal. He died in October 1875, and was succeeded by his son, Ali Gauhar Khan, upon whom, in June 1887, the Viceroy conferred the title of Khan Bahadur as a personal distinction, at the same time granting him an annual allowance for life of Rs. 2,000 from the revenue of the Agror valley.

After the return of the Khan, the troops which had been stationed in Agror were withdrawn; but the raids did not cease, the principal offenders being the Akazais. After 1872 matters somewhat improved, but in April 1875 a serious raid was committed by the Akazais and the Khan Khel clan of the Hasanzais on the British village of Ghanian in the Agror valley. Before any measures for the punishment of the tribes could be decided upon, a quarrel took place between the Hasanzais and Akazais, which led, mainly through the influence of the independent Saiyids of Tilli, to the voluntary and complete submission, in September 1875, of the latter, who engaged to abstain from all opposition to Government, a promise which they did not keep. The Hasanzais and their allies, the Basi Khel Chagarzais, subsequently, in December, came in and professed a desire for pardon. In the meantime Shahtut was occupied and the land distributed among other communities. In 1882 the question of restoring Shahtut to the Akazais came under consideration. Government were willing to restore it on a tribal guarantee for good behaviour. The majority of the tribe were prepared to give the required engagement; but, as a sub-section of the clan declined, the negotiations fell through for the time. In March 1882 Hashim Ali Khan, the nominal Chief of the Hasanzais, raided Kolakha, a village near Oghi, in Agror; but the tribe was not believed to be implicated.

The disputes between the Khan of Agror and his cousin, Abdulla Khan, of Dilbori, regarding the latter's land interests in the Agror valley, culmin-



ated in 1884 in active hostility. Abdulla Khan secured the aid of the Saiyids of Pariari with their Chagarzai tenants, and of a section of the Akazais. These tribes, acting in Abdulla Khan's behalf, committed numerous raids throughout the summer of 1884 on the villages of the valley. A blockade was established; and finally, in September 1884, a small military force was sent against them while engaged in attacking the village of Ghanian. The tribes were routed and driven out of British territory. Petty raids continued for some months afterwards; but finally, in October 1885, the Pariari Saiyids and the Chagarzais submitted, paid the fines imposed upon them, and gave hostages for future good conduct.

In 1888 the Khan of Agror was removed from the border for complicity in many of the raids and disturbances of the past years, which it was proved he had fomented for his own ends. He has since been detained in Kangra under a warrant under Regulation III of 1818, and his estate has been attached.

Abdulla Khan of Dilbori, finding that no good was to be gained by threatening the armed intervention of the Chagarzais, surrendered himself to the Deputy Commissioner in May 1889, was imprisoned for some months, and released early in 1890.

Though no agreement has been entered into by the Chagarzais of the northern slopes of the Black Mountain, a large jirga of this clan visited the Deputy Commissioner in 1889 and professed resolves to remain in friendship and peace with Government.

In November 1887 a servant of Hashim Ali Khan of Seri, Chief of the Hasanazais, was charged with several murders in Agror and was arrested and put on trial. Disregarding friendly messages asking him to send in the witnesses named by his servant for his defence, Hashim Ali Khan sent a raiding party into Agror, which, attacking a solitary hamlet at night, killed two men and carried off two others. In the following June, Major Battye, with a company of the 2-5th Gurkhas, while making a route march on the Black Mountain, was attacked by a gang of Gujars and others of Akazai villages; Major Battye, Captain Urmston, and a few Gurkhas, who had remained behind with a dooli in which was a wounded sepoy, were surrounded, overpowered, and killed.

For some years past the glaring offences of the Khan Khel (Hasanzais) and Akazais had been met merely by the imposition of fines on paper and by a blockade. Finding that the state of things on this border demanded strong measures to punish the unatoned outrages of the past 20 years, Government determined in 1888 to send an expedition against the Hasanazais, Akazais, and Pariariwals. The whole Hasanzai clan were made responsible for



bringing Hashim Ali Khan to terms, as it was notorious that a man in his position could not have acted as he had done since he became titular Chief without the connivance and support of the whole tribe. The Hasan-zais were compelled to pay a fine of Rs. 7,500, the Akazais a fine of Rs. 4,000, and the Pariariwals Rs. 1,500, which they gave mostly in cattle. Hostages were taken from each clan. At the same time, before the force returned to British territory, the jirgas of the Hasan-zais and Akazais made Agreements (Nos. VIII and IX) with Government. The most important terms in these agreements were that the clans acknowledged their responsibility for Hashim Ali Khan, or their Chief, whoever he might be, and bound themselves to control his behaviour. They also acknowledged the right of the British Government to send its servants, troops, or police, along its own border on the crest of the Black Mountain; and promised to attend when summoned to accompany any troops making a peaceable march on this border. The Akazais also admitted that they had no claim to Shahtut, which had long been a source of contention on the Black Mountain.

In 1890 the Government of India, with a view to enforcing the results of the expedition of 1888, and to securing more control over the clans beyond the Black Mountain, determined to make certain roads in Agror up to, and along the crest of, the hill, and to send a small force to march along the crest, and thus assert the intention of holding the clans to their agreement. The tribes were invited to send in deputations to arrange either to assist in these projects, or at least to see that no offence was offered. Shortly before troops actually started to march along the Black Mountain the clans were warned that, if in violation of their agreements, they attempted to molest or oppose British troops marching peaceably on the border, they would be severely punished. To all warnings and advice they turned a deaf ear and permitted Hashim Ali Khan, some Akazai headmen and other leading malcontents, to assemble bodies on the crest of the hill to oppose the force sent from Abbottabad. When the intention of the clans was clearly proved by their coming into British territory and firing at the camp at Barchar, the troops under orders retired, and the Hasan-zais and Akazais were warned that they would be punished by an expedition to be sent against them in the spring. In pursuance of this threat the expedition of 1891 against the Black Mountain was undertaken. The Hasan-zais and Akazais were warned that their unconditional submission was demanded, and the Mada Khel, as a branch of the Isazai tribe, were told that they must join the other clans in any final arrangement of which Government might approve regarding the Khanship of



Seri. The Hazara field force marched from Darband about the middle of March and gradually occupied the whole of the territories of the Hasan-zais and Akazais. Neither clan offered serious or organised opposition, but they did not make complete submission till the end of May, when, finding that, unless they gave in, the occupation of their villages would be maintained and a second harvest lost, they sent in complete jirgas and accepted all the terms demanded, save that of the surrender of Hashim Ali Khan, which his flight had put out of their power. They also undertook to keep Hashim Ali out of their country and to surrender him if he returned to it. The Hasan-zais and Akazais executed an Agreement (No. X) embodying the terms imposed. The Mada Khel followed and made a similar Agreement (No. XI). Before the force broke up the headmen of Pariari come into Oghi and executed an Agreement (No. XII) of a similar nature. In January 1892 the Government of India sanctioned the following annual allowances: Hasan-zais Rs. 1,700, Akazais Rs. 800, Mada Khel Rs. 1,000, Pariaris Rs. 500; while Rs. 2,000 a year was to be paid to Ibrahim Khan, who was accepted as Khan of Seri, and was given the confiscated Khani lands of Hashim Ali Khan, which the tribes grant to the *de facto* Khan for the support of the Chiefship.

In 1892, however, the Hasan-zais and Mada Khel allowed Hashim Ali to return to their country and to settle at Baio. In August of that year, therefore, they were warned that if they did not surrender or expel him within a month, they would be punished; and, as they persisted in refusing compliance, a force was sent under General Lockhart to Baio. The place was found empty on the 6th October; the defences were destroyed; and the force was withdrawn, Hashim Ali being still at large. In 1900 Ibrahim Khan's allowance was reduced to Rs. 1,000 and that of the Hasan-zais increased by a similar amount. Subsequently Rs. 300 out of Ibrahim Khan's allowance was transferred to Rahim Khan of Mirabad.

Since the expedition of 1892 the Isazais have been well behaved and no punitive measures against them have been necessary. On one or two occasions they have refused to come in and receive their allowances, but this conduct was the result of intrigues rather than of any hostility on their part.

Hashim Ali is still at large and excluded from the Khanship, but there exists among the Hasan-zais a considerable party who continually petition for Hashim Ali's pardon, and his restoration to the Khanship in opposition to Ibrahim Khan, the present Khan of Seri.

The (2) *Iliaszai* and (3) *Malisai* sub-divisions of the Yusaf section are located in the Buner valley in Yaghistan. The fighting strength of the



*Bunerwals*, as they are also called, is about 9,700. The first occasion on which they came into collision with the British Government was during the Ambela campaign of 1863. They displayed considerable bravery, but finally agreed (No. XIII) to disband their force, destroy Malka, and expel the Hindustani fanatics from Buner. To these engagements they adhered and caused no further trouble till 1868, when the *Salarzai* clan, of the Iliaszai sub-division, burnt a village in British Yusafzai. For this they were blockaded until they agreed to rebuild the village and pay a fine to the British Government.

In 1875 the *Chagarzai* section of the Malizais joined the Akazais and Hasanzais in their raids on the Agror border, which have been described above. The *Nasrat Khel* clan of the Chagarzais came in with the Akazais in September of that year, and the *Basi Khel* clan with the Hasanzais in the December following.

In July 1877 the Bunerwals made a raid on the border villages of the Sudum valley, incited thereto by Ajab Khan, a leading Chief, who hoped thus to injure his enemies and enhance his importance in the eyes of Government. The Bunerwals were gallantly beaten back by the villagers, and Government imposed a blockade on the tribe and exacted a fine. Ajab Khan was arrested and tried at Peshawar as a common criminal, and was convicted and executed in June 1878. Some excitement and disquietude prevailed for a year after, but the effect on the whole was good and tranquillity was restored.

On 16th May 1884 the peace was disturbed by the Salarzai section, who burnt the village of Pirzai. The Salarzais were asked to come in and submit, but proved recusant; and in the end of the year a blockade was established against them. Shortly after the Pirzai outrage, in June 1884, the *Ashuzai* clan of Buner made a raid on Baroch and were included in this blockade. In December 1864 the *Nursai* clan was also guilty of violence and was consequently blockaded. Matters after this became worse. The Bunerwals held out, and at one time it was intended to send a strong military force into the hills. The Bunerwals, however, at length submitted in February 1887, complying with the terms imposed by Government.

In July 1897 the Bunerwals joined the Swatis in a fanatical attack upon the Malakand and Chakdarra. They refused to come in and answer for their conduct, and an expeditionary force was despatched against them in January 1898. The whole of Buner proper was examined and surveyed, the tribe submitting with practically no show of resistance. Their prestige as a fighting clan has since sensibly diminished, and the perennial internal wars, which centre round the rival Khans of Da gar, are now almost



bloodless. The tribe has been punished by fine for a few isolated offences in British territory but has shown no further hostility.

The Yusafzais of the (4) *Ranizai* division live beyond the British border on the slopes of the Totai hills and in the western part of the Swat valley; they can turn out about 4,800 fighting men.

In 1852 circumstances occurred which rendered it necessary to punish the Ranizais and their neighbours, the *Utman Khel*.\*

The large village of Tangi, on the Swat river, was the residence of a powerful Chief named Ajun Khan, a young man of a restless, proud and bigoted character. A large part of the village was held by him revenue free, but he desired the whole of it, and exemption from personal attendance at British courts and from the interference of British revenue and police officials in his village. Finding that these demands were not likely to be complied with, he adopted the course, not infrequent during the Durani and Sikh rule, of removing to the hills, calling around him a band of adventurers, and leading them in acts of aggression upon British villages, in the hope that the Government would be induced to yield to such pressure and grant him the privileges he sought. He took up his quarters in his *Utman Khel* villages to the north of the district, and received in jagir several villages on the border from the Saiyid Akhund of Swat, who was himself anticipating the advent of the British and willingly received such fugitives, locating them on his border to act as an advance guard. The villages assigned to them were separated from British territory by the district of the Ranizais, through which these malcontents were in the habit of passing in their forays on British villages.

On the 6th March 1852 a detachment of the Guides was attacked at Gujar Garhi by one of these bands under the fugitive Mukarram Khan. As the outrage was clearly traced to the Ranizais, a force, under the command of Sir Colin Campbell, moved from Peshawar to coerce them. They submitted before hostilities actually commenced, and agreed to pay a fine of Rs. 5,000, surrendering three of their headmen as hostages; but these they afterwards repudiated and expelled their families from the district.

On the night of the 20th April 1852 Ajun Khan, with a band of 200 horsemen, attacked the large village of Charsadda, which was the headquarters of the Hashtnagar tahsil. The Tahsildar, himself a Saiyid, was murdered and cut to pieces, several other officials were similarly treated, and the tahsil treasury was plundered. The whole of the Hashtnagar tahsil was

\* A Pathan tribe, but unconnected with any of the surrounding tribes of that race. They occupy the hills north of Peshawar, between the Mohmands and Ranizais on both sides of the Swat river from the Koh-i-Mohr to the Khanora mountain.



thrown into alarm and confusion. In all these acts the chief support of the rebels was the so-called "Padshah" of Swat, and the aiders and the abettors were the Utman Khel and Ranizai tribes.

For the signal chastisement of these tribes a force of 5,000 men was collected near Tangi, on the Swat river, and Sir Colin Campbell proceeded in May against the Utman Khel, who numbered 5,000 matchlocks. They offered considerable resistance, but were finally driven from their stronghold with much loss, and their chief villages of Pranghar and Nawadand were completely destroyed. The force passed on into Ranizai and captured the leading men of the tribe. No agreement was entered into at that time with the Utman Khel, but their defeat at Pranghar had a wholesome effect for several years. The Ranizai Chiefs shortly afterwards submitted and wished to become British subjects. This was not acceded to, but they were allowed by Colonel Mackeson, then Commissioner of Peshawar, to re-settle on terms (No. XIV) to which they have since steadfastly adhered. At the same time a fort was constructed at Abazai, on the Swat river, to check these tribes. The result of the expedition was to restore order and security to the Hashtnagar tahsil and to put a stop to the flight of Chiefs and Malikis.

In December 1876 the Utman Khel wantonly raided a gang of unarmed Muhammadan coolies working on the Swat canal near Abazai. An example was demanded, and in 1878 a small expedition was sent into the hills, which surprised and punished the Utman Khel village of Sapri. The village of Bacha was subsequently visited, where the tribal leaders attended and submitted to the terms imposed by Government.

In 1877 the Ranizai village of Skakot took to harbouring outlaws, and proved otherwise troublesome and disobedient; a small force was therefore sent against it, when the terms demanded by the Government were at once complied with. The neighbouring villages came in and gave similar guarantees.

During the march of the Chitral Relief Force the Utman Khel assisted in supplying provisions, and generally their attitude was friendly.

In 1895, after the Chitral expedition, the Khans and Khan Khels of Swat and upper and lower Ranizais undertook (No. XV) to protect the road from Peshawar to Chitral running through the Ranizai and Swat territories. The Khans and Khan Khels of Swat also agreed (No. XVI) to commute their right to tolls in their country to Government in consideration of a payment by Government of Rs. 10,000 a year.

In the disturbances of 1897 the Utman Khels, upper and lower Ranizai, and the tribes of lower and upper Swat were actively engaged. The



Sam Ranizais, however, acted fully up to their agreement of 1895, though a few of the younger members of the tribe took part in the disturbances. Expeditions were sent into upper Swat and the territories of the recalcitrant tribes, and the punishments imposed by Government exacted. The Musa Khels and other tribes of upper Swat, in addition to complying with the terms of Government, expressed their unconditional submission to Government (No. XVII).

The behaviour of the Ranizais has since been loyal to Government. In 1901 the Khans of Alladand, in pursuance of their factions, started one of those quarrels which formerly distinguished the country, and Sharif Khan was shot on the Malakand, for which offence Sargand Khan and Tulla Khan were imprisoned. Since that time the Khan Khel Jirga have practically become the chief court of appeal in tribal cases. The moveable column, located in the valley since 1895, was withdrawn in 1902.

In 1903 the Ranizai tribes agreed to abolish armed faction fighting, and the agreement has on the whole been well observed.

Among the allies of the Yusafzai tribe may be reckoned the *Utman Khel* (distinct from those mentioned in connection with the Ranizais and from the Orakzai Utman Khel), who live in the north of the Baizai sub-division of Yusafzai. Their conduct as British subjects was formerly refractory, and in the Ambela campaign in 1863 they caused much annoyance by cutting off stragglers between the British position and the rear. As a punishment a fine of Rs. 2,500 was inflicted upon them. The adjustment of the shares in which this was to be borne by the different villages led to much bloodshed among them. Order was for a time restored, but the feuds broke out again in 1865, and as some of the independent tribes were concerned in the disturbances, a strong force under Brigadier-General Dunsford was despatched in January 1866 to the spot. Their villages were levelled to the ground and re-built on the plain, where they are no longer inaccessible or in the way of assistance from independent tribes. In 1872 they again gave trouble in connection with the revenue settlement operations then proceeding in the district. Troops were sent out; but the recusant villages finally made submission.

In 1897 a number of Utman Khel British subjects secretly joined the fanatics in Swat. Some individuals were detected and punished, but no villages were openly or representatively committed to hostility.

Another branch of the Yusafzai tribe is the Khudu Khel. This tribe is much dependent on British territory for its supplies, and is entirely open to attack from the direction of Peshawar. For thirty years this clan carried on



a remarkable struggle with Mukarrab Khan, its Chief. After a series of vicissitudes Mukarrab Khan found himself an exile at the conclusion of the internecine war which lasted for more than a generation, in the course of which he was guilty of an unprecedented act in the slaughter of a Khudu Khel jirga in 1873. He died in 1889, and his family are still exiles and their political power extinct. The Khudu Khel joined in the outbreak of 1897, but their opposition was half hearted, and, when called upon to make reparation under threat of an expedition, they promptly came in and paid up the fines of guns and cash imposed on them. Since then they have given no trouble.

### 3.—GADUNS OR JADUNS.

The Gaduns are a Pathan tribe, who reside partly on the southern slopes of the Mahaban mountain, and partly in the Hazara district. They are termed Gaduns in the Peshawar district and Jaduns in Hazara. They muster about 2,800 men. The tribe is divided into two main sections—*Salar* and *Mansur*. They have principally come into contact with the British Government through their connection with the Hindustani fanatical Muhammadans of Sitana. In 1858, when Sitana was destroyed, the Gaduns remained quiet and agreed to prevent the return there of the Hindustani fanatics. In 1861 they were called to account, in common with the Utmanzai Yusufzais, for permitting these fanatics to re-settle and to pass through their country when proceeding to, and returning from, British territory. A blockade was instituted, which soon resulted in the submission of the tribe, and an Engagement (No. IV) was taken from the *Salar* section of the tribe similar to that executed with the Kabal and Kya clans of the Utmanzai Yusufzais. The *Mansur* section also signed an Agreement (No. XVIII). In July 1862 the fanatics re-occupied Sitana and sent threatening messages to the Nawab of Amb; as the Gaduns failed after due warning to expel them, they were, in July 1863, subjected to a blockade. The conduct of the Gaduns during the Ambela campaign was satisfactory, and in January 1864 they again executed Agreements (Nos. XIX to XXI) not to permit the return of the Hindustanis to any part of their territory. They continued, however, every year to disregard these promises, and in 1870 a blockade was declared against them. They finally submitted to the payment of a fine of Rs. 3,285, and gave security that they would not violate British territory. In 1874 the *Salar* division of the tribe was fined for petty border offences. In 1881 the Gaduns, who were then assisting the exiled Mukarrab Khan of Panjtar, hereditary Khan of the Khudu Khel, in his struggle with the Bam Khel, committed an outrage on British territory. A fine was imposed on the tribe, who paid it without demur. At the commencement of the Black



Mountain expedition of 1888 the Gaduns were concerned in an attack on Mr. Hastings, District Superintendent of Police, Peshawar. The tribe was fined Rs. 1,000, which was paid.

The Gaduns of the Peshawar border were implicated in the general fanatical risings of 1897. They were fined Rs. 2,500 and surrendered 200 guns. Their submission was obtained without difficulty. Their conduct, as a tribe, has since been good, though certain sections and villages have been fined from time to time for petty border offences. The Salar and Mansur sections are perpetually at war, each taking a side in the internal feuds of the Utmanzai villages of Kabal and Kya. The Salar Gaduns and the Utmanzais were subjected to a short blockade in 1901, which resulted in a settlement of the Kabal-Kya feud. The Salar and Mansur, however, continued to fight during 1903 and 1904, and only ceased owing to considerable losses on both sides. The attitude of both sections towards Government is, at the same time, most friendly, and at the end of 1904 British Officers were enabled with their assistance and under tribal escort to visit the crest of Mahaban for the first time.

#### 4. MOHMANDS.

The Mohmands are a large tribe, occupying the hilly country on the north-west border of the Peshawar valley, adjoining Bajaur and Kunar to the north and the district of Ningrahar to the west, the southern boundary being formed by the Kabul river. They originally owned allegiance to the Amir of Kabul, from whom their Chiefs received cash allowances and the revenue of certain districts in the direction of Jalalabad, amounting to about Rs. 70,000 a year. The

Tarakzai.	Baizai.	Utmanzai.
Halimzai.	Kowaizai.	Dawezai.

tribe can turn out from 16,000 to 18,000 fighting men, and is divided into six

sections, each of which again is sub-divided into several clans. Owing to the direct influence exercised by the Amir Dost Muhammad over the Mohmands, it was chiefly through this tribe that he endeavoured, after the annexation of the Punjab, to harass the border of the British. The Chief, Saadat Khan of Lalpura, was also personally inimical to the British because, during their brief connection with the affairs of Afghanistan in 1841, he had been superseded in the Chiefship by his cousin, Torabaz Khan, who was, however, unable to maintain his ground after the British had left the country. The tribe possessed peculiar facilities for causing annoyance as two of the roads leading to Afghanistan pass through their territories.

The principal sections with which Government have had dealings are the *Tarakzais*, to which belong the Chiefs of Lalpura, Michni and Pindiali; and



the *Halimzais*. Both sections border on British territory and were in the enjoyment of certain villages within the Peshawar district of the collective value of Rs. 10,000 a year, thus owning joint allegiance to the British Government and to the Amir of Kabul. In 1850 and 1851 their raids and robberies were frequent. Large bodies of them entered the plain by night and destroyed villages, massacring the people or carrying them off to the hills till ransomed by their friends. The grazing lands of the villages belonging to Government lie immediately under the Mohmand hills, and scarcely a day passed without some of the cattle being carried off.

The district was becoming disorganised, and in October 1851 Sir Colin Campbell (Lord Clyde), who was then commanding at Peshawar, received orders to proceed against the tribe. He took the field with a considerable force and attacked the Tarakzai and Halimzai clans. The whole tribe opposed themselves to him under Saadat Khan, and operations continued for three months. During that time their villages immediately on the border were destroyed; their towers were blown up; and, in the several skirmishes which occurred, many of their men were slain. The tribe became disheartened; and when the fort of Michni had been completed and garrisoned, and police posts had been placed along the border, with towers of communication, the troops were withdrawn. Scarcely had this been done when, in April 1852, the tribe determined to make another combined effort. They were attacked and completely routed by Sir Colin Campbell, and from that day the tribe never appeared against the British in a body, and left the three clans on the British border to make their own arrangements. The Halimzais under their Malik, Ahmad Sher, at once tendered their submission and entered into an Agreement (No. XXII). They were allowed to re-settle on payment of an annual tribute of Rs. 200, and on condition of loyalty and good service. To these terms they have adhered with singular steadfastness, and in 1857 they were so useful to the local authorities that Ahmad Sher received an annual grant in acknowledgment of their services.

The Tarakzai Mohmands did not at once succumb, but opposed to the utmost of their power the building of the fort which was to hold them in check. Finding, however, that the other clans rendered them no assistance, and that the feud was more injurious to themselves than to Government they also submitted, and were allowed to re-settle on payment of an annual tribute of Rs. 600. Their Chief, Rahimdad, was a crafty and restless man, and incited by him they again commenced a series of lawless acts, and finally the greater portion of them left their villages in British territory and went to their hills



in open feud in August 1854. A force was despatched against them under Sir Sydney Cotton, who attacked them by a movement on both sides of the Kabul river and destroyed their principal villages of Shah Musa Khel and Sadin. Their losses on the occasion were severe and the lesson was final. They submitted unconditionally, and those who had thrown off their allegiance were only allowed to re-settle on payment of the revenue assessed upon their lands. Those who had remained loyal continued as before to hold their lands rent-free on payment of their share of the tribute. No written agreements were entered into, but these arrangements were successful.

The Tarakzai Mohmands hold a tribal jagir of their lands in British territory amounting to Rs. 11,300.

The Pindiali Mohmands (Tarakzais) long continued at feud with the British, but at last, worn out by a ten years' struggle and blockade, they sued for pardon and peace; and in November 1860 their Chief, Nawab Khan, submitted unconditionally and was pardoned, on making restitution to British subjects for stolen property and paying compensation for other injuries caused by his clan. In 1888 the Burhan Khel section gave some trouble in consequence of a dispute regarding their tribal allowance with Pirdost Khan, son of Nawab Khan. The shares of each were fixed, the Burhan Khel paid a fine, and since then the conduct of the Pindiali Mohmands has been good.

After the submission of Nawab Khan the Mohmands abstained from aggression until 1863, when the emissaries of the Akhund of Swat succeeded in creating open disturbance among the Mohmands of the Peshawar valley. A body of them, 3,000 strong, led by Sultan Muhammad Khan, son of Saadat Khan, entered British territory, but were attacked and routed near Shabkadar by a small British detachment of 55 cavalry and 100 infantry. Under the influence of the fanatical preachings of a band of mullas from Ningrahar 5,500 Mohmands, under Nauroz Khan, another son of Saadat Khan, threatened the fort of Shabkadar in January 1864, but were met by a British force of 3 guns, 460 sabres and 1,230 bayonets under the command of Colonel Macdonell and were completely defeated. For his share in these proceedings the Amir of Kabul removed Saadat Khan from the Chiefship of Lalpura and deported him with his son, Nauroz Khan, to Kabul. He was subsequently released, but died soon afterwards. In 1871 Sultan Muhammad Khan was Chief of Lalpura, but was assassinated by one of the Torabaz branch of the family. He was succeeded by his brother, Nauroz Khan. In 1873 the Hafizkor clan of the Tarakzai Mohmands was prohibited from entering British territory for three years, and its lands were confiscated, for having fired at Captain Anderson, Commandant of Shabkadar.



Bahram Khan, half-brother of Nauroz Khan, caused the murder of Major Macdonald, Commandant of the fort of Michni in 1873. For his negligence in allowing the murderer to escape Nauroz Khan was removed from the Chiefship by the Amir, but was afterwards restored, only to be deprived of it again in 1875, when he was replaced by Muhammad Shah Khan, son of Sultan Muhammad Khan. Nauroz Khan died at Gandas in 1877, and his sons went to Peshawar.

In April 1879 Muhammad Sadik Khan, the eldest son of Nauroz Khan, joined the Amir, Yakub Khan. As soon as the British troops left Dakka in 1879 Muhammad Sadik Khan was appointed, by the Amir, Khan of Lalpura in the place of Muhammad Shah Khan. He was acknowledged as Khan by the Government of India at the end of 1879. But in January 1880 Muhammad Sadik Khan broke into open hostility at the head of a large rabble of Mohmands, some 5,000 strong. They crossed the river and threatened Dakka and the Landi Kotal road. A small British force was sent against them, and they were routed, suffering considerable loss. Negotiations were then opened with Sadik Khan's half-brother, Akbar Khan. Eventually a Sanad (No. XXIII) was granted to Akbar Khan, conferring upon him the Chiefship of Lalpura and all the jagirs and allowances appertaining thereto, subject to the condition of his loyalty and good service to the British Government.

Later on the Amir, Abdur Rahman Khan, was informed that Akbar had been appointed Khan of Lalpura by the British Government, and that the Khanship of Lalpura was under British protection. At the end of 1880 Akbar Khan was confirmed in the Khanship by the Amir.

Relations with the Mohmands continued peaceful up to 1897. Under the Durand agreement of 1894 the eastern Mohmand clans, comprising the Tarakzai Halimzai (including the Kamali), Burhan Khel, Isa Khel, Dawezai and Utmanzai, fell on the British side of the border. In 1896 the Jirgas of these clans formally tendered their submission to the Lieutenant-Governor of the Punjab. They were granted the following allowances to replace those which they formerly received from Kabul and Lalpura. Halimzai Rs. 8,480, Kamali Rs. 2,800, Dawezai Rs. 1,200, Utmanzai, Rs. 720, Tarakzai Rs. 3,600, while the allowance of Rs. 1,000 already enjoyed by the Isa Khel and Burhan Khel, was raised to Rs. 1,325. On the 7th August 1897 a Mohmand lashkar raised by the fanatical preaching of Mullah Nizamuddin, generally known as the Adda Mullah, and led by him in person, looted and burnt the village of Shankargarh and attacked the adjoining fort of Shabkadar. In consequence of this outrage and the complicity of the Mohmands in the general frontier rebellion, an expeditionary



force under General Elles was despatched against them in September 1897. The force was opposed at the Bedmanai pass and Jarobi glen, but defeated the enemy with considerable loss and destruction of villages and property. A fine of Rs. 19,094 was realised from the sections concerned in addition to the confiscation of rifles and guns.

Their conduct has since been good, though a certain number of fines have been levied for border offences.

In 1902 an allowance of Rs. 2,250, and Rs. 1,125 for lungis to representative Maliks, was sanctioned for the Musa Khels of Mitai who executed an Agreement (No. XXIV).

In 1904 the Tarakzai Mohmands received an addition of Rs. 1,000 a year to their allowances in consideration of their protecting the head works of the Kabul river canal (No. XXV).

In 1905 they undertook full responsibility for the protection of the Kabul river railway from all attacks from the left bank of the Kabul river, in return for which they received an increase of Rs. 5,000 a year to their allowances (No. XXVI).

The allowances of the Mohmand tribe now amount to Rs. 28,423 in all.

### 5.—AFRIDIS.

The Afridis are a large tribe of Pathans, inhabiting the lower and easternmost spurs of the Safed Koh range to the west and south of the Peshawar district, including the valley of the river Bara, and portions of those of Chura and Tirah. They are

- |                    |                  |
|--------------------|------------------|
| (1) Kuki Khel.     | (5) Kambar Khel. |
| (2) Sipah Khel.    | (6) Zakha Khel.  |
| (3) Kamarai Khel.  | (7) Aka Khel.    |
| (4) Malikdin Khel. | (8) Adam Khel.   |

divided into eight sections, and their total fighting strength, which has been variously estimated, may be put at 26,500 men.

Where the general interests of the tribe are concerned, the clans usually range themselves into the two great factions of Samil and Gar—the Samil faction including the Malikdin, Zakha, Aka, Sipah, and Kamarai Khels; and the Gar, the Kambar and Kuki Khels. The Adam Khel belong to neither, but side with one or the other as their interests may dictate.

The (1) *Kuki Khel* is, after the Zakha Khel, the most important and powerful section of the Khyber Afridis. They number some 4,500 fighting men. Their summer quarters are in Bar Bara and Tordara, and in winter they move down to their settlements at the mouth of the Khyber pass, which they occupy as far as Ali Masjid and the caves of Kajurai. They are divided into two sections: (a) the *Wadradankai*, or settled, who occupy the country between Jamrud and Ali Masjid, and a few hamlets and forts in the



Lashora valley; (b) the *Tirah* section who live in the Rajgal valley, through which the Bara stream flows.

They have been, since annexation, more notorious for harbouring criminals and refugees than for direct acts of aggression, and, as they derive their means of subsistence chiefly from the sale of firewood in British cantonments, Government has always possessed a ready means of punishing them for lawless acts. Such an act was committed in January 1857, when Dost Muhammad was encamped at Jamrud after his interview with Sir John Lawrence, whose camp was a few miles nearer Peshawar. A party of young officers rode beyond the Amir's camp towards the pass, and were fired on by the Kuki Khel, one of the number, Lieutenant Hand, being so severely wounded that he died during the night. The crime having been brought home to men of the tribe, they were blockaded, and many of their men fell into the hands of Government. During these hostilities the mutiny broke out, but the blockade was continued in full force and was so injurious to the interest of the tribe that they paid a fine of Rs. 3,000 and entered into an Agreement (No. XXVII).

The (2) *Sipah*, (3) *Kamarai*, (4) *Malikdin*, and (5) *Kambar* sections of the tribe can muster in all about 12,200 matchlock-men.

The (2) *Sipah* clan have a permanent village, Ilamgudar, two or three miles from Bara fort. They number about 1,200 fighting men. Sher Muhammad is the present Chief.

The (3) *Kamarai* is a small clan numbering about 1,200 armed men. Their summer settlements are in the Bara valley. They hold the Tsaukh Tangi pass, which the Malikdin, Kambar, Sipah and Kuki Khels must traverse in proceeding to their own country from winter quarters.

The (4) *Malikdin* are divided into four sections, which acknowledge Yar Muhammad Khan as their Chief. The tribe has a permanent habitation at Chura in the mouth of the Bazar valley and owns much land in Maidan in Tirah. The strength of the tribe is about 4,000 fighting men.

The (5) *Kambar Khel* is of the same stock as the Malikdin, but they belong to different factions. Their summer settlements are in the Tirah highlands. Their armed strength is about 4,500 men.

In winter all these clans migrate to the Kajurai valley, north of the Bara river, on the Peshawar border. This joint occupancy proved very inconvenient, as it enabled them to allow members of other tribes to pass through their settlements for purposes of robbery and theft, in which cases the responsible party could seldom be ascertained. On this account they refused on several pretexts to become jointly responsible. But in the early part of 1861, a party of villagers from British territory, who were grazing



their cattle in the vicinity, were attacked by the Zakha Khel, who had been residing in Kajurai. One was killed, three were wounded, and their cattle were plundered. Some of the Kajurai men were seized, and further proceedings threatened, unless immediate reparation was made and an agreement entered into of joint responsibility for the future. The sections concerned sent their representatives to Peshawar, paid a fine of Rs. 1,000, and entered into the desired agreement, which closes that corner of the district against the Zakha Khel and other robbers. The Agreement (No. XXVIII) with the Sipah and Kamarai sections was made on the 24th April 1861; that with the Malikdin Khel and Kambar Khel was effected shortly afterwards, and is of the same tenor.

The (6) *Zakha Khel* is the most important and powerful of all the sections of the Afridis, and can bring into the field when united, which is seldom the case, about 4,500 fighting men. They inhabit the Khyber pass; and their chief strength lies in the fact that from Lakasar through Khyber, Bazar, Bara, and Maidan of Tirah their country extends without passing through the limits of any other tribe. A Zakha can traverse the whole of the tribal lands without paying toll to any other Afridi clan.

The Zakha Khel is divided into the *Pakhai*, who occupy the Khyber and two or three villages of the Bazar valley; the *Khasrogi*, *Painda*, *Anai* and *Shan Khel*, who reside in the Bazar valley; and the *Ziaud-din* of Shin Kamr. All these different sections have two or three forts each in the Bara valley. All the sections, except the Painda and Pakhai, migrate to Tirah during the summer months. Khawas and Wali Muhammad Khan are the present head Malikis of the tribe.

The Zakha Khels have always been noted as bold and clever freebooters, but the British Government has never come into collision with them as a tribe. They were formerly divided into two great factions, led respectively by Bostan Khan and Aladad Khan. In August 1857 the clans under Bostan Khan entered into an Agreement (No. XXIX), and their example was shortly afterwards followed by the remainder under Aladad Khan (No. XXX). Bostan Khan was killed in 1870.

The responsibility of all these six tribes—Kuki, Sipah, Kamarai, Malikdin, Kambar, and Zakha Khels—in respect of the Khyber pass, is now regulated by the joint Agreement (No. XXXI) concluded in 1881.

By Article 9 of the Treaty of Gandamak (see Afghanistan) made in 1879, it was stipulated that the British Government should retain in its own hands the control of the Khyber and Michni passes, and of all political relations with the independent tribes inhabiting the territory directly attached thereto. Owing to the causes referred to at page 322, the treaty of



Gandamak became null and void, but in the arrangements subsequently made with the Amir, Abdur Rahman, and set forth at page 323, its provisions, so far as regards, amongst other things, the Khyber, were in the main adhered to. Consequently the pass, throughout its entire length as far as Dakka opposite Lalpura, was placed under the control of the Punjab Government. The Afghans of the Khyber, while always asserting their independence, received from the Amirs of Kabul allowances in consideration of keeping the pass open to trade. These allowances, irregularly paid, were often suspended for years together, and when the road came under British control, it was practically closed to commerce, or merchandise was allowed to be conveyed along it only on payment of dues so heavy as to be almost prohibitive. On the transfer of the pass, arrangements were at once initiated for placing the relations of the Afridis with the British Government on a satisfactory footing. The representatives of the various tribes came in, and a conference was held in the autumn of 1880 at Peshawar. After protracted negotiations a settlement was finally concluded, the terms of which are embodied in the Agreement (No. XXXI) executed in February 1881. The independence of the tribes was recognised; an annual subsidy of Rs. 87,540 was allotted in allowances to different sections of the tribes; and a body of Jezailchis (which has now developed into the militia corps known as the Khyber Rifles), under the charge and management of tribal headmen, was established for the protection of the pass at a yearly cost to the Government of Rs. 87,392. In consideration of these payments, the Afridis accepted entire and exclusive responsibility for the security of the road which traverses the independent territory where the authority of the Kabul Government is not acknowledged. The British Government reserved the right, which they have since exercised, of levying tolls upon traffic carried through the Khyber. Besides the Afridi tribes, the *Shinwaris* of Landi Kotal also joined in executing the agreement, and were granted annual allowances of Rs. 9,660. These are the Loargi Shinwaris. They hold the pass from the village of Lala Beg, the extreme limit of Afridi rights in the Khyber, to Landi Khana.

The Afridis continued to behave comparatively well and to observe their agreements until the summer of 1897, when the outbreak of disturbances in Tochi and Malakand affected all the frontier tribes; the Afridis, after two months' indecision, rose, and on the 23rd of August a combined force of all their clans attacked the outposts in the Khyber pass, captured Ali Masjid, Landi Kotal, and the smaller posts, and sacked and burnt them. Large numbers of Afridis also joined the Orakzais in an attack on the Samana forts. A large force under General Sir William Lockhart entered



Tirah in October by the Samana route, and after several engagements occupied Maidan, and sent punitive columns to every part of the country. By April 1898 the Afridis had submitted and had paid, or given security for the payment of, a fine of Rs. 50,000 and 800 rifles. Operations against them were then suspended, and in October 1898 a darbar was held at Peshawar at which all the clans were represented. They were informed that the Government of India were prepared to resume friendly relations with them on certain terms. After some discussion the joint Afridi Jirga presented on October 26th an Agreement (No. XXXII), by which they accepted the terms of Government. As an act of grace their former allowances were then restored to them, and an "inam" of three months' allowances was given to the Jirga. The agreement has up to the present time (1906) worked effectively.

In 1902 the Government of India decided to make a road, running north of, and roughly parallel to, the Khyber pass, from Shagai in British territory to Landi Kotal, through the countries of the Mullagori, Shilmani, and Shinwari tribes. In connection with the survey and proposed opening of this route annual allowances of Rs. 2,000 each had been sanctioned in January 1880 for the Shilmanis and Mullagoris, on the understanding that the road would be improved at the leisure of the Government of India. The conditions imposed upon the tribes in return for the subsidy were (1) general good behaviour and active assistance in debarring all bands of Mohmand raiders from approaching the Khyber, and (2) keeping open and securing for travellers the trade route lying through their valleys. In consideration of their good behaviour in connection with the construction of the road, the Mullagoris' and Shilmanis' allowances were increased to Rs. 5,000 in 1904 and 1906 respectively, while the allowance of Rs. 9,660 which had been granted to the Shinwaris, in accordance with the agreement of 1881 (see above), was increased to Rs. 13,000 a year in 1906. Agreements were taken from all three tribes (Nos. XXXIII and XXXIV) in which it was clearly laid down that this increase was final, and that Government would have the right at any future time to construct, make use of, and maintain any form of communication in their country.

The (7) *Aka Khel* is a large section of the Afridis, numbering 1,800 fighting men, whose summer residence is in Tirah, but they migrate in the winter to the hills bordering on the Peshawar district between the Kohat pass and the Bara river, where they dwell in caves, grazing their cattle in the plain. They had frequently committed cattle thefts and robberies near the Kohat pass, but were not considered so hostile as others. In the autumn of 1854, when Lieutenant Hamilton, District Engineer, was



encamped at Badabir, completing the Kohat and Peshawar road, a large body of about 300 men of the Aka Khel came down a ravine from the hills, and silently surrounding the camp, suddenly lit torches and attacked it. The sleeping inmates were nearly all slain; Lieutenant Hamilton was wounded; the camp was plundered; and the tents fired. A small force at once took the field under Colonel Cragie, and entering the Aka Khel hills, inflicted as severe punishment as it could on the tribe. At the same time they were effectually blockaded, which was a source of still greater injury to them, as they were dependent on Peshawar for their support during the winter by the sale of firewood. Troops remained in front of them, and many of their cattle and people fell into the hands of the British or were killed in skirmishes. They did not, however, submit that season, and returned as usual in the spring to the irsummer settlements in Tirah. In the autumn of 1855, when they were about to migrate, steps were taken to continue the blockade, and, finding themselves exposed to this, they sued for peace, finally consenting to pay a fine of Rs. 2,670; to abstain from plunder in British territory; and to give hostages for their future good conduct. An Agreement (No. XXXV) to this effect was entered into with them on the 11th January 1856.

One of the clans of the Aka Khel is the *Basi Khel*, who share in the allowance given for the protection of the Kohat pass and occupy the hills close to the entrance of the pass. This allowance, which in 1855 was forfeited in consequence of the events narrated above, was originally paid to them on account of their having claims to a portion of the land between Kotkai and Aimal Chabutra, called Kalamsada. These claims gave rise to constant quarrels between the Basi Khel and the Akhorwals, a clan of the Hasan Khel section of the Adam Khel. As the former refused to abide by the decision of the Commissioner of Peshawar, which they had previously agreed to accept, they were in February 1867 debarred from entering British territory; but after a brief interval they submitted. In consideration of their agreeing (No. XXXVI) to the former terms, *vis.*, a truce on the Kalamsada question for seven years, the allowance hitherto paid to them was raised from Rs. 600 to Rs. 1,000 a year. The truce expired in April 1875. But though the increased allowance was, under clause 3 of the agreement, to terminate with the truce, it was continued till the frontier disturbances of 1897-98, when the whole allowance of Rs. 1,000 was stopped. It was restored again in 1899 with effect from the 27th July 1898.

The Aka Khel was one of the sections chiefly concerned in the fanatical rising of 1897-98. Roused by the preachings of the Mullahs, and under the influence of the prevailing excitement consequent on the outbreak in the Swat valley, they took up arms against Government in August



1897 and were a party to the capture and burning of the Landi Kotal and Ali Masjid forts. For this, and subsequent smaller raids by isolated bands of Afridis, a blockade was declared against the whole tribe on November 25th, 1897. It was raised on May 3rd, 1898, the Aka Khels being the last section to submit.

In 1899 the tribe was again blockaded, their Jirgas having stubbornly refused to pay the fines imposed for a number of serious raids committed by their clansmen. The fines were paid in 1900, but the tribe had meanwhile been guilty of a series of offences, of which the most notable were the raids at Mariamzai, Naudeh, and Phandu, and in October 1900 a blockade was re-imposed. It was decided, however, to confine this blockade to the most guilty sections, which did not include the Basi Khel. This had the effect of bringing in the Aka Khel Jirga with their fines in fifteen days.

In 1902 the Aka Khels were fined Rs. 1,200 for harbouring outlaws. Since then their conduct has improved, but their connection with a band of desperadoes known as the Hazarnao gang has implicated them in a number of border offences.

Besides the allowance of Rs. 1,000 granted to the Basi Khel section of this tribe, mentioned above, the remainder of the tribe have enjoyed, since the 1st October 1902, an allowance of Rs. 4,000 (No. XXXVII) in connection with the protection of the Peshawar border between Bara and Kacha Garhi.

The (8) *Adam Khel* is a large and important, but completely distinct, community of the Afridis. It is divided into four sections,\* and can turn out about 9,000 men, of whom about 5,000 are fairly well armed with a consider-

- \* (a) Galai or Gali Khel.
- (b) Hasan Khel.
- (c) Ashu Khel.
- (d) Jowaki Khel.

able number of breech-loading rifles. Located in the hills and glens westward of Jalala Sar, and in the glens on each side of the defile leading from the Peshawar valley to Kohat, the Adam Khel hold the entire pass in its grasp. The defile extends from near Aimal Chabutra, in the Peshawar plain, for a distance of about 12 miles. The road then winds over a mountain, the crest of which forms the boundary between the Galai Afridis and the Bangashes, who occupy the Kohat valley. From this crest to Kohat is a distance of about 7 miles, the greater part of which is a descent through mountain gorges unoccupied by any tribe.

The (a) *Galai Khel* live in the pass, and can muster about 2,300 fighting men well armed with Martini-Henri, Snider, Enfield, and a few Lee-Metfords. In 1849 the British Government entered into an agreement



with the Galai Khel, by which the latter agreed to keep open communication through the pass in consideration of an annual payment of Rs. 5,700, of which Rs. 3,000 was to be paid to the Maliks and Rs. 2,700 to forty-five men to be placed at certain posts in the pass. Soon, however, the tribe began to be troublesome. Their suspicions were also aroused by the construction of a road from Kohat; and there was discontent regarding the salt regulations at the trans-Indus mines. On the 2nd February 1850 a party of sappers, engaged on the above road about 3 miles from Kohat, was attacked by the Galai Khel and the Akhorwal clan of the Hasan Khel, and nearly all were killed or wounded. The Commander-in-Chief, Sir Charles Napier, who was at Peshawar, issued orders for the forcing of the pass, with the double object of strengthening Kohat and punishing the Afridis. This was accomplished between the 10th and 13th February, with some loss to the British. The villages in the pass were partially destroyed, and a regiment of cavalry and one of infantry were left at Kohat. In April hostilities were renewed, and a company of infantry from Kohat was placed in a post on the crest of the mountain. The post was soon found to be untenable, and the detachment was withdrawn. It was then resolved to try the effect of a blockade, and the Afridis were debarred from all ingress to, or dealings with, the Peshawar or Kohat valleys.

The agreement above mentioned was, of course, made void by these proceedings, but the pressure of the blockade induced the Galai Khel in September 1850 to sue for terms, and the British Government consented to renew their old allowances on condition of their being responsible for the security of the pass. In order to strengthen the arrangement, Rahmat Khan, a Chief of the neighbouring Orakzais, was admitted to a share in the responsibility and was granted a personal allowance of Rs. 2,000 a year, and Rs. 6,000 as the pay of a mounted guard of 100 men of his tribe to be maintained on the crest of the ridge near Kohat. The allowances, as thus revised, aggregated Rs. 13,700 a year.

This arrangement continued till the close of 1853, when the continued misconduct of these Afridis necessitated a change. The Deputy Commissioner of Kohat proposed that the Bangashes, who inhabit the Kohat valley, should be entrusted with the road from Kohat to the crest of the mountain, and the Galai Afridis with their own defile only. This was stoutly opposed by the latter, who claimed the crest of the mountain as their own. The Bangashes advanced to take possession of it, but were driven back, and evinced their inability to cope with the Afridis. At this time the force which had destroyed Bori\* was encamped in the neighbourhood, and it was

\**Vide* page 34.



arranged that a simultaneous movement should be made against the pass from both sides. Perceiving their danger the Galai Afridis submitted and withdrew their claim to the crest of the mountain, leaving it to the Government to make what arrangements they pleased for the road. Accordingly, on the 1st December 1853, they entered into an Agreement (No. XXXVIII) to maintain the pass, on the old terms, from Aimal Chabutra on the Peshawar side to the foot of the mountain. They also relinquished Rs. 300 of the allowance to the Maliks in favour of the Basi Khel. The cost of this arrangement was Rs. 5,700.

From 1853 down to 1876 the Galai Khel gave very little trouble. This was probably due to their knowledge that in the event of misbehaviour their trade with British territory in wood and salt would be stopped, thus causing them considerable loss.

Towards the close of 1875 negotiations were opened with the Galais for the construction of a good road through the pass. The work had been an object with the British Government for many years, and the tribe was bound by treaty to undertake it. An option was given to the Galais either to do this or to forego the allowances they received. The tribe generally were willing to agree to the proposals of the Government, and the matter would have been amicably settled but for the opposition of the Sheraki villages. This section, in order to embroil the tribe, resorted to open insult and outrage; and as the main body were either unwilling or unable to coerce the Sherakis, the Government found it necessary in February 1876 to impose a blockade, a measure which was followed by a certain amount of raiding on British territory. The Hasan Khel and the Ashu Khel became involved in the quarrel, and in August 1876 the blockade was extended to them. Their contumacy did not, however, last long, and in February their submission was proffered and accepted. The submission of the pass Afridis soon followed, and in March 1877 their leaders came in and accepted the Government terms, which were the improvement, under Government supervision, of the rocky portion of the road north of the Kotal; the surrender of all plundered property belonging to British subjects; and the payment of a fine of Rs. 3,000.

In September 1899 the Bosti Khel, Sherakis, Zarghum Khel, and Akhorwals, of the Kohat pass Afridis, agreed (No. XXXIX) to the construction of a proper metalled road through their limits in the pass. In consideration of this they received an increase of Rs. 3,000 a year to their subsidy, Rs. 500 of which was for *malikana*; and a cash present of Rs. 2,500 was promised to deserving maliks on the completion of the work.



The (*d*) *jowaki* clan live to the east of the Kohat pass, in the strip of independent territory which runs south from the Jowaki pass into the Kohat district, approaching the main military road half-way between Khushalgarh and Kohat. The clan numbers about 3,500 fighting men, of whom a large number are, in consequence of blood feuds, now living in British territory.

The first Agreement (No. XL) concluded with the Jowakis was dated the 26th December 1851. By it the clan accepted responsibility for crimes committed in British territory by the portion of the clan living on the south side of the central range of hills dividing their country.

By an Agreement (No. XLI) concluded on the 3rd December 1853 they were admitted to a share in the allowances for the protection of the Kohat pass. They received Rs. 2,000 a year on this account.

The Jowaki village of Bori had, throughout the Sikh rule, been notorious as the residence of freebooters, who plundered on the Attock road. After annexation its notoriety increased, and, as it was strongly located in the mouth of the Jowaki pass, criminals from the Peshawar and Rawal Pindi districts found an asylum there and made it the point from which they started on their marauding expeditions. It was, therefore, found necessary, in November 1853, to proceed against the place in force. Sir John Lawrence, then Chief Commissioner, accompanied the expedition, and the troops encamped in the plain between the Kohat and Jowaki passes. The force then proceeded to attack the Jowakis in their stronghold of Bori. The operations were difficult, and owing to the nature of the ground the loss of the British was severe; but the village and all its towers were destroyed, and the Jowakis were driven from all the positions which they had occupied. The destruction of Bori had the desired effect, and in two months the clan submitted and entered into an Agreement (No. XLII) on the 11th January 1854, engaging to abstain from raids themselves and to eject within two months all the fugitive freebooters with them. These engagements were strictly fulfilled by them.

Subsequently to these proceedings Fort Mackeson in the plain between the two passes, and the police post of Shamshatu to command the entrance to the Jowaki pass, with patrolling roads and connecting towers, were constructed.

During the disturbances of 1876-77 with the pass Afridis, the Jowakis showed a certain sympathy with their kinsmen, but took no active part against the Government. They abandoned, however, contrary to the Agreement of 1853, their tower on the Kotal, and failed to preserve the border secure from the raids of the blockaded Adam Khel. Being in



consequence proceeded against by seizure of their men and property found in Kohat they at once gave in their submission, adjusted the claims against them, and gave hostages for the maintenance of a strict neutrality. This engagement the Jowakis observed until the end of the pass difficulties in March 1877.

In July 1877 the Jowakis suddenly gave up their peaceful attitude; directed a series of outrages against British territory; cut the telegraph wires on the Khushalgarh line; and attacked British subjects and villages with much audacity. This outbreak was attributed to anticipations on the part of the tribe that their pass allowance was to be reduced. On the settlement with the pass Afridis, proposals came under consideration for the redistribution of the allowances in a more equitable manner. No final decision had, however, been taken by the Punjab Government on the proposals made. But the prospect of alterations was used by interested persons to influence the Jowakis for evil. The continued outrages of the tribe at last rendered a military expedition necessary. Accordingly Brigadier-General Keyes, on the 9th November 1877, entered the Jowaki valley with a considerable force; Brigadier-General Ross at the same time operating from the Peshawar side. After a long and stubborn resistance, the Jowakis at last gave in, and accepted the terms imposed upon them, which were ratified at a darbar held at Peshawar on the 4th March 1878. The terms included (a) the restitution of stolen property; (b) the payment of a large fine, and the surrender of hostages; (c) the occupation of the village of Jamu by British troops; (d) the opening of communications through the Jowaki country; and (e) the withdrawal of the pass allowance. The terms also included a stipulation that four specified Maliks should be exiled from their villages; and they left for a while, but within a fortnight of the troops leaving the country they were back again. Malik Mushki, of Shindand, the brother of another of the proscribed Maliks, continued for years to raid on British territory and gave infinite trouble, until his career was cut short by the surprise of his village and the capture of himself and several of his relations by a force from Kohat, on the 17th November 1889. Since then depredations on the Khushalgarh road and adjacent villages have absolutely ceased.

In 1892 the Government of India sanctioned the discontinuance of the maintenance of 20 hostages given by the Jowakis after the expedition of 1877-78, and the cost of maintenance thus saved, *vis.*, Rs. 1,848 a year, was granted to the tribe as an allowance, on the condition of maintaining 4 towers on their border, at Tortang, Shindand, Kooka China, and Bulbula Khoara, with 4 chaukidars each, for the protection of the road



and prevention of crime (No. XLIII). This agreement cancelled those of 1851 and 1853 (Nos. XL and XLI).

In 1894 the Boriwal section of the Jowakis claimed a share of the new allowance sanctioned for the tribe, and offered to build and maintain a tower, but their claim was disallowed by Government, as they could not build a tower in any position where it could be of any practical use.

The (b) *Hasan Khel* live immediately to the east of the Kohat pass in the hills on the Peshawar side. They muster about 3,000 fighting men, mostly armed with modern rifles, though a portion of their number on account of feuds now reside in British territory. The clan has two great sections, the *Tatar Khel* or *Akhorwal*, and the *Janakhori*. The Janakhoris are so called from their inhabiting eleven villages in the Janakhtar valley.

The Hasan Khel and Ashu Khel were mixed up in the depredations and insults which in 1854 brought down punishment on the Jowakis of Bori. During the investigations which took place on this occasion, it appeared that these clans were powerless against the Jowakis; but in the presence of the British force they were enabled to separate themselves, and entered into an Agreement (No. XLIV) on their own account on the 15th November 1853.

In 1866 the Hasan Khel, having refused to make reparation for a series of outrages committed against British subjects in British territory, were subjected to a strict blockade. As this measure was ineffectual, preparations were made to coerce them by force of arms; but before the troops advanced, the clan submitted unconditionally to the terms imposed upon them, gave hostages for their future good conduct, and signed an Agreement (No. XLV) similar to that executed by them in 1853.

In 1874 there were some petty cases of plundering, on account of which it was found necessary to resort to reprisals; whereupon a satisfactory adjustment was made by the clan.

The Hasan Khel, with the Ashu Khel, were in August 1876 included in the blockade established in consequence of the disputes with the pass Afridis, an account of which has been given above. The Hasan Khel had been guilty of a few murders and robberies at Cherat previous to that date. On the 10th January 1877 a serious outrage was committed by them at Naushera. They were soon weary of their hostile attitude, and in February agreed to the terms imposed by Government, and their submission was accepted. The terms were—consent to the construction of a road through the Hasan Khel section of the pass; compensation for offences committed; responsibility for future crime; a suitable fine; and hostages for compliance with the terms accepted.



During the whole of the Jowaki expedition of 1877-78, the Hasan Khel and Galais adhered to their engagements, and maintained throughout a friendly neutrality.

Both the Hasan Khel and Ashu Khel refrained from participation in the general Afridi rising of 1897. The behaviour of the Hasan Khel section has, with a few exceptions, continued good. The most important charge brought against it was the theft of 15 rifles at Sibi by Hasan Khel cavalry sowars in 1901. The rifles were recovered by the institution of a general seizure of men and property, which remained in force for three months. The Hasan Khels receive an annual allowance of Rs. 500.

In 1896 the control of the Hasan Khel section of the Adam Khels, excepting the Akhorwal sub-section, was transferred from the Deputy Commissioner, Kohat, to the Deputy Commissioner, Peshawar.

In 1899, after the Galai and Akhorwals had given their consent to the construction of the military road through the pass, the Hasan Khel petitioned for a share in the increase of the pass allowance; but the claim was rejected by Government.

The (c) *Ashu Khel* are located to the south of Fort Mackeson on the first range of hills. They are an insignificant section, and number from 1,000 to 1,200 men armed with modern rifles.

The clan was, with the Hasan Khel, implicated in the depredations which in 1854 led to the punishment of the Jowakis of Bori. The circumstances which led to the Agreement (No. XLIV) of November 1853 have been referred to above.

The clan was included in the blockade which was imposed in 1876 on the pass Afridis (see above).

In 1897 the control of the Kandau and Kandar sub-sections of the Ashu Khel was transferred from the Deputy Commissioner, Kohat, to the Deputy Commissioner, Peshawar, as the Hasan Khel, with whom they shared their allowance, had been transferred to the political control of the latter in 1896. The Ashu Khels took no part in the disturbances of 1897; but afterwards they committed a number of serious raids in the Peshawar district. They were fined in 1899 and 1900 for these offences, and since then have remained quiet.

## 6.—ORAKZAIS.

The Orakzais are a Pathan tribe inhabiting the mountains to the north and west of the Kohat district. They are bounded on the north and east by the Afridis, on the south by the Miranzai valley, and on the west by the Zaimusht country and the Safed Koh. With the exception of the two



valleys inhabited by Afridis, the whole of the tract called Tirah is occupied by the Orakzais. They are divided into four main sections, the total strength of which amounts to about 25,000 fighting men. The clans, however, are but little influenced by common interests.

To the (1) *Daulatzai* section belong two sub-sections, *Daulatzai* and *Muhammad Khel*. The former consists of *Bazoti*, *Utman Khel*, and *Firoz Khel*, while the latter is composed of the *Mani Khel*, *Bar Muhammad Khel*, *Sipaya* and *Abdul Aziz Khel* clans, most of whom are *Shias*. They muster a total fighting strength of 4,500 men, and their arms consist mostly of pass-made *Martini-Henri* rifles, *Sniders*, and *Enfields*.

When the *Bangashes* failed to make good their position in the *Kohat* pass against the *Galai Khel Afridis* in 1853, they called to their aid these clans, and assigned to them a portion of the allowance of Rs. 7,700 a year which they themselves received for the security of the pass from the crest to the *Kohat* entrance. Accordingly the *Bazoti* and *Firoz Khels* receive, under an agreement concluded in December 1853, Rs. 2,000 (No. XLVI), and the *Sipahs* Rs. 500 (No. XLVII). In 1855, when the *Utman Khel* came in, they were, under clause 5 of the agreement of December 1853, assigned a share in the allowances of the *Bazoti* and *Firoz Khels*. This was recorded in an Agreement (No. XLVIII) executed on the 22nd March 1855.

In 1868 these clans attacked some police posts in British territory, and a blockade was established against them. It was not sufficiently deterrent, and a small force destroyed the village of *Garo* in February 1869.

In April 1872 the *Muhammad Khel* section entered into an Agreement (No. XLIX) to regulate their intercourse with the British Government.

The *Sipah*, more generally known as *Sipaya*, inhabit the country to the west of the entrance to the *Bazoti* valley. They are but little affected by blockade; but they are very easily got at from either the *Zera* pass above *Marai* or the *Dablai* pass above *Alizai*.\* Their summer seat is in *Tirah*, at *Ainposh*. Each village of the lower *Sipah* valley has its settlement at *Ainposh*. In May 1872 the *Sipahs* of *Ainposh* entered into an Agreement (No. L). In 1874 the principal *Saiyids* of the *Samilzai* family became sureties for the *Sipah* section.

In 1876 the *Utman Khels* sided with the *Galai Afridis* in the disputes regarding the *Kohat* pass, and committed a few outrages. But

\*In the *Miranzai* expedition of 1891 a column was encamped for three days at *Zera*, one of the *Sipah* villages.



arrangements were made for isolating the whole of the Daulatzai, and their conduct subsequently was quite satisfactory.

In 1892 an allowance of Rs. 2,016 a year was sanctioned by the Government of India for the Muhammad Khel clans of Bar Muhammad Khel, Mani Khel, and Abdul Aziz Khel, for protecting the border and maintaining two towers, and an agreement was taken from them accordingly; but it was subsequently determined to divide the allowance equally among the first two clans only, as the Abdul Aziz Khel were considered too insignificant and too far removed from the border to be entitled to any share. An Agreement (No. LI) was therefore taken from the Bar Muhammad Khels and the Mani Khels, and that of 1892 was cancelled. This agreement also superseded that of April 1872 (No. XLIX) as regards the Bar Muhammad Khel and Mani Khel.

From 1892-93 to 1896-97 the conduct of the Orakzai clans was on the whole satisfactory; offences were, of course, committed, the largest number being laid to the charge of the Samil clans, but a prompt settlement was generally effected. In the spring of 1895, at the commencement of the operations of the Chitral Relief Force, the Tirah Afridis displayed a certain amount of excitement, but the Orakzai clans consistently refrained from joining in the agitation.

The Orakzais, excepting the Muhammad Khel Shiah clans, were not slow to join the widespread hostile coalition of the border tribes against the British Government in the fanatical outbreak of 1897, and, following the example of the Khyber Afridis, commenced hostilities within a few days of the outbreak in the Khyber. In August 1897 the Daulatzais attacked and captured the border police post at Muhammadzai; a few days later the Shinawari post at the foot of the Samana, below Gulistan, fell, and the Lakka and Saifaldarra border military police posts had to be evacuated. On the night of the 29th August the border police posts of Tsalai and Ghogra were burned by the Orakzais, and raiding parties of the same tribe destroyed the police lock-up at Kahi and the school at Nariyah, where the Hindu bazaar was also plundered. On the following night the posts at Thal and Sangar were fired into, and that at Torawari was burnt. On the 12th September the combined lashkar of the Afridis and Orakzais invested Fort Lockhart and Gulistan and captured the intermediate post of Sara Garhi. By the 14th September a relieving column marched up the Samana from Hangu, cleared the hill of the enemy, and drove them back to the Khanki valley. To punish the Orakzais the Tirah Expeditionary Force was despatched in October. Dargai, at which the first action took place on the 18th, was captured on the 20th; the Khanki valley was occupied on the



21st; and on the 29th the force marched over the Sampagga pass into the Mastura valley, the summer head-quarters of the Ali Khel, Mishti, Sheikhan, and Daulatzai. On the 31st the Arhanga pass was carried, and three brigades crossed this pass and entered Maidan; within a few days the Orakzai clans began to show signs of submission. On the 12th November the terms of peace were announced at Maidan to the assembled Orakzai Jirga. By the 28th December the punishment of the Orakzais had been satisfactorily completed; and they had paid up Rs. 30,000 in cash; surrendered 514 breech-loaders; and restored 34 stolen rifles.

The attitude of the Orakzais since the Tirah expedition of 1897-98 has shown a marked improvement; raids have, of course, been committed, but, as a rule, the cases have been promptly settled and the tribes punished by fine, not only for their own participation in dakaits committed in this district, but for their allowing members of tribes under the political control of the Political Agent, Khyber, and Deputy Commissioner, Peshawar, to pass through their tribal limits in order to commit such offences in the Kohat district.

On the conclusion of the Tirah campaign the Government of India sanctioned, with effect from the 1st April 1898, the restoration of their forfeited allowances, amounting to Rs. 5,456 a year, to the following tribes who had taken up arms against Government, and were in receipt of allowances:—

Mishtis, Sheikhan, Rabia Khels, Akhels, Firoz Khels, Utman Khels, and Bizotis.

No separate engagement was taken from these tribes on this occasion, but their Jirgas were verbally reminded by the Deputy Commissioner, at a meeting held at Kohat on the 31st January 1899, of the conditions attached to the grant of their allowances, which would continue in force, including the manning and maintenance of the watch towers within their limits. Opportunity was at the same time taken to point out to the tribal representatives that certain of the terms of their previous agreements with Government did not seem to have been set forth with sufficient clearness, though they had been always acted upon in practice and their meaning was implied in the wording of these engagements.

In a Jirga held at Kohat on the 7th November 1899 the three Daulatzai clans and the Muhammad Khel Sipayas attested Agreements (Nos. LII, LIII, and LIV), under which they consented to the withdrawal of the chaukidars, 14 in number, paid out of their subsidies, from the Kotal post and connected towers, and the substitution therefor of a force of regular border police. In return Government covenanted to increase



their annual subsidies by a sum of Rs. 70, being the amount they received from the Kotal chaukidars as "psuna" or a payment in goats.

In 1893 an allowance of Rs. 500 had been sanctioned for the Tirah Sturi Khels, a section of the Alizai clan of the Orakzais, by the Government of India, on the usual conditions of protecting the border and maintaining a tower at Khurram Khulla. The clan, however, declined to accept this allowance, on the ground that it was small, and the grant accordingly remained in abeyance till May 1899, when it was revived in their favour with effect from the 1st April 1899, the conditions in the agreement of 1893 (No. LV), relating to the maintenance of a tower, being waived at their request.

The (2) *Ismailzai* section are sub-divided into seven clans, the chief of which are the *Rabia Khel*, *Akhel*, *Mamazai Daradar*, *Khadizai*, and the fighting strength of the principal sub-sections may be estimated as follows: *Rabia Khel* 800, *Akhel* 700, *Mamazai Daradar* 300, their arms consisting mostly of pass-made Martini-Henri rifles, Sniders, and Enfields.

After the annexation of the Miranzai valley numerous raids were committed by the Orakzais on the British border, and in 1855 the *Rabia Khel* attacked and plundered the British village of Shahu Khel. A force proceeded against them under Brigadier-General Chamberlain, and on the 1st September 1855 successfully carried their positions on the Samana range, inflicting considerable loss on the tribe. They immediately submitted, and on the 20th September 1855 entered into an Engagement (No. LVI) for future good conduct, to which they adhered for a while, but during the Afghan war they commenced harassing the British line of communications in the Miranzai valley.

In November and December 1878 the *Akhel*, with the *Ali Khel* *Hamsayas*, under the influence of emissaries from Kabul, displayed some hostile activity, but on the 1st January 1879 a settlement was effected with them. This was soon disregarded, and throughout 1879 and 1880 the *Akhel* and *Ali Khel* committed numerous outrages on the border. The fines imposed on this account were not paid up until 1891.

The continued outrages committed by the *Rabia Khel* and three other Samil clans (*Mishti*, *Sheikhan*, and *Mamazai Daradar*) of the *Khanki* valley rendered it necessary in 1891 to inflict punishment on them. It was found that the tribes had been supported in their course of outrage by the *Khan of Hangu* and his family, notably by his eldest son, *Baz Gul Khan*. The *Khan* and the male members of his family were therefore deported to Lahore, *Baz Gul Khan* being confined in the central jail. A force under Brigadier-General Lockhart occupied the strongholds of the offending



tribes, who shortly after submitted unconditionally. Malik Makhmadin, the most flagrant offender, surrendered himself, after twenty of his villages and towns had been blown up. It was resolved to maintain a garrison on the Samana range, which divides Miranzai from the Khanki valley; and for this purpose a small force was left there to cover the construction of fortified posts. Baz Gul Khan is still a political *détenu* at Lahore.

The clans had accepted most unwillingly the important terms imposed by Government, *vis.*, those providing for the construction of roads and posts on the Samana range, and for the payment of revenue for lands held to the south of the ridge. As soon as British troops were withdrawn a powerful combination was formed of the various Orakzai tribes (Gar as well as Samil), together with a contingent of Afridis, with a view to getting the terms altered. On the 4th April 1891 a treacherous attack was made on the military guards protecting working parties on the range, and the frontier at once burst into a blaze. This necessitated the second Miranzai expedition. Reinforcements were pushed up, the force was formed, and on the 17th April the Samana range was again in the hands of the British. After several days' fighting, in which the tribes suffered severely, they gave in unconditionally, and the whole of the Khanki valley, and the country beyond to the Marghan Kotal overlooking the Massozai settlements, was traversed by the troops. In May and June 1891 special Agreements (Nos. LVII and LVIII) were made with the Akhel and Rabia Khel, the latter of which superseded that of September 1855 (No. LVI). By these agreements the tribes acknowledged the boundary claimed by the Government of India up to the crest and watershed of the Samana range; agreed to build posts and furnish men to hold them; accepted responsibility for peace and good order; and undertook to pay revenue for land on the sunny side of the Samana range. Tribal service at the rate of Rs. 1,008 a year each was granted to the Rabia Khel and the Akhel. In 1892 the tribal service was extended to the Mishti, Sheikhan, and Muhammad Khel clans at the annual rates of Rs. 1,008, Rs. 648, and Rs. 2,016, respectively. In 1895 the Sheikhan subsidy was raised to Rs. 1,008 a year.

The Ismailzai section joined in the disturbances of 1897-98.

In 1899 certain rights in two springs at Fort Lockhart were acquired by Government for Rs. 400 and two Agreements (No. LIX) were taken from the Rabia Khel proprietors.

The (3) *Lashkarsai* section are sub-divided into (a) *Mamuzai* or *Mahmudsai*, and (b) *Alishersai*, mustering a fighting strength as follows: Mamuzai 3,000 and Alishersai 2,750. The Mamuzai are said to be the best armed clan amongst the Orakzais, and, in addition to six Lee-Metford



rifles, they and the Alisherzai are fairly well supplied with Martini-Henri, Snider, and Enfield rifles, of which the greater portion of the Martinis are pass-made.

In 1858 the Alisherzais entered into an engagement similar to that concluded with the Utman Khel on the 2nd August of that year (No. LX). Having in 1869 raided British territory and violated that treaty, they executed, on submission, a second Engagement (No. LXI) in renewal thereof.

In 1879, on the outbreak of the Afghan war, the two clans of the Lashkarzai joined the Zaimushts in attacks on the Miranzai border. An account of these disturbances is given under the Zaimushts. The rapid success of General Tytler's force in December of that year so alarmed the Alisherzais that their Jirgas attended and accepted the terms imposed, *vis.*, payment of Rs. 4,000 fine and the surrender of 28 hostages. The Mamuzais also came in and accepted like terms; but a short time afterwards they again turned hostile, and a blockade was established. In August 1880 they committed, with the Akhel and Alikhel, a serious raid on the Pagattu sarai, in which eight British subjects were killed. A settlement was effected in March 1883, and in November following they arranged for the payment of the balance of fines due.

In 1893, after the appointment of a Political Officer for Kurram, the management of the Pitao Alisherzai and Massozai clans of the Orakzai, as also of the Zaimusht, whose countries were contiguous to the Kurram border, was transferred from the Deputy Commissioner, Kohat, to the Political Officer, Kurram.

The Mamuzai and Alisherzai took part in the disturbances of 1897-98. Neither of these sections are at present in receipt of any allowances from Government, though they have frequently petitioned therefor; but the Alisherzai signed an Agreement (No. LXII) in 1902, acquiescing in the construction of, and binding themselves to the protection of, a road from Sadda to Torawari, or Shinawari, which would pass through their limits.

The (4) *Hamsayas* are divided into (a) *Mishti*, (b) *Ali Khel*, (c) *Sheikhan*, (d) *Malla Khel*, and can muster a fighting strength of 9,300 as follows: Mishti 3,000, Ali Khel 2,750, Sheikhan 2,750, Malla Khel 800. They are armed with a few Lee-Metford rifles and pass-made Martini-Henri rifles, as well as Snider and Enfield rifles.

The Hamsayas are much mixed up geographically and politically with the Ismailzais. The Ismailzais, however, belong to the original Orakzai stock, while the Hamsayas consist of clans who, admitted first as dependents, are now more powerful and numerous than the Ismailzais themselves. Taking these two sections as separable into (a) *Western Gar* clans and (b) *Samil*



clans, the former would embrace the Ali Khel of the Hamsayas and the Akhel and Mamazai of the Ismailzais, and the latter the remaining clans of both sections. The Samil clans were under the direct management of the Khan of Hangu in the Kohat district until his deportation to Lahore in 1891. Since then they have been, like the rest of these clans, managed directly by the Deputy Commissioner of Kohat.

The Gar clans were also taken under direct management by the Deputy Commissioner of Kohat in 1898, and the services of the late Khan Bahadur Usman Khan of Hangu, who was the middleman, were dispensed with.

In 1897 the Ali Khel (Hamsayas) and Mamuzai (Lashkarzai) were the first to agree to join in hostilities against the Government, and the rest of the Gar clans soon followed the lead of these two powerful sections. The Samil clans, of which the Mishti (Hamsayas) are the leaders, were at first reluctant to join in the *jihad*, and strenuous efforts were therefore made by the Political Officers to detach the Mishtis from the coalition, but the party of the Aka Khel Mullah, Syed Akbar, was too strong to be resisted, with the result that the Orakzais, with the exception of the Muhammad Khel Shiah clans, joined in the coalition. The Ali Khels, who had been the foremost in opposing Government, were the first to submit. After the action on the Sampagga pass on the 29th October the Malla Khel villages were found to be deserted, and in many cases it appeared that the men of this section had, prior to their flight, fired their fodder stacks, the flames from which reached and destroyed a number of their houses.

In 1902 an annual allowance of Rs. 1,008 was granted to the Ali Khels on conditions similar to those imposed on the other sections of the Orakzai tribe, and an Agreement (No. LXIII) was taken from them on the 30th June 1902.

In 1903 an allowance of Rs. 1,008 a year was sanctioned for the Malla Khels on the usual conditions of service and loyalty. They were also required to maintain 3 towers on the Saifal Darra to command the route into British India, and an Agreement (No. LXIV), dated the 11th August 1903, was taken from them.

#### 7.—ZAIMUSHTS.

The Zaimusht tribe inhabit the hills to the south of the Orakzai, between the valleys of Miranzai and Kurram.

Their principal villages are Hadmela, Dholragha, Thana, Damakkhi, Pastawanai, Mannattu, Jalamzai in independent territory, and Durani, Chashi, Kuchi, Bhaggan, Uchat killi, Manduri, Ahmedai-Shama and Chappri in lower Kurram.

A considerable number of the Khoedad Khel reside also in Torawari in the Kohat district.



The tribe is divided into two main branches—

- I.—The Khoedad Khel, consisting of the Ibrahim Khel, Barat Khel, Khadu Khel, Hasan Khel, and Manzakaiwal sections.
- II.—The Mamozai, consisting of the Manatuwal, Mindan, Watizai, and Daudzai sections. The Daudzai section has been almost completely driven out of the country, only 10 families remaining; the rest have found an asylum with the adjacent powerful Alisherzai tribe.

In 1858 an engagement, similar to that with the Orakzai clans (see No. LX), was concluded with the Zaimushts for the regulation of their intercourse with the British Government.

During the Afghan war in 1879, the Zaimushts, aided by the Mamuzai and Alisherzai clans of the Lashkarzai division of the Orakzais, committed a series of offences on the Thal-Kurram road and the Miranzai border. Among these were the murder of two British officers and an attack on a military convoy. An expedition under General Tytler was sent against them in December 1879; the Zaimusht hills were traversed, and the settlements of the Watizais, the worst behaved section of the tribe, were destroyed. The submission of the tribes concerned soon followed. Heavy fines were realised, and the surrender of hostages was secured. The tribe also agreed to keep open the road through the Zaimusht valley. In February 1880 the Maliks of the Zaimushts made formal submission in open darbar to the Lieutenant-Governor at Kohat. Since then they have been on the whole well conducted, though recent years witnessed the rise of a noted freebooter among them—Sarwar Khan, *alias* Chikkai, a Manatuwal of Chinarak, who was by extraction a Zaimusht. He was a successful and daring thief, and there was at one time a heavy account against him for raids in British territory. At the close of 1890 he made submission; but then he received encouragement from the Governor of Khost and from a visit to Kabul, and gave more trouble, especially in the Turi country. When arrangements were made at the end of 1892 for the temporary occupation of Kurram by British troops it was directed that Chikkai and his followers should be made to evacuate lands they had seized in lower Kurram, but they did so without waiting to be coerced, and Chikkai made submission.

In 1898 Chikkai was granted a yearly allowance of Rs. 1,200 for his services in 1897. This was increased in 1899 to Rs. 1,800 for bringing in the Khani Khel Jirga in that year. In 1901 Chikkai severed his connection with the Zaimusht tribe and fled to Kabul. In February 1903, urged by the petitions of the Watizai section for assistance against the aggressions of



the Khoedad Khel, he returned to Zaimusht country. On the 15th July 1903 Chikkai was killed when attempting to raid the Khoedad Khel and their Wazir allies. Three days afterwards the Khoedad Khel captured Chinarak, formerly Chikkai's stronghold. Since then the Khoedad Khel, with their Wazir allies, have become the predominant factor in the Zaimusht country.

In December 1902 the Zaimushts withdrew their objections to the construction of the Chinarak road through their territory and bound themselves to be responsible for its protection (No. LXII).

In January 1903 the tribe was granted an annual allowance of Rs. 3,500, the Khoedad Khel receiving Rs. 1,500, and the Mamazai Rs. 1,000, the balance of Rs. 1,000 being reserved for the grant of lungis to leading maliks (No. LXV).

### 8. —TURIS.

The Turis are an independent tribe occupying the Kurram valley, which is bounded on the north by the Safed Koh, and on the south by Khost and the independent Mangal and Wazir tribes.

The Turis of Kurram are not Afghans of pure descent, if Afghans at all. Their ancestors are believed to have migrated some four or five hundred years ago from Kohat to their present seats, driving out or subjugating the original Bangash inhabitants. They are supposed to have advanced originally from the cis-Indus country. The Bangashes who remained in Kurram are now the *hamsayas* or vassals of the Turis; but a large number are settled in the Miranzai and Kohat valleys in British territory. Besides the Bangashes, some Zaimushts, and Mangals, and four families of Saiyids are resident in Kurram, subject to the Turis.

The tribes of Kurram and the neighbourhood are divided into two main factions, known as the (a) Tor-Gundi (black faction) and (b) Spin-Gundi (white faction).

The Turis can muster some 6,000 fighting men. They are divided into two branches—(a) *Sargalli*, and (b) *Chardai*. The former has two sections—1, *Hamza Khel*; 2, *Mastu Khel*; the latter comprises three sections—1, *Duparzai*; 2, *Ghundi Khel*; 3, *Alisai* (the last two are also known collectively as *Landisai*).

In 1853, while the British Government was engaged in reducing the Miranzai frontier to order, the Turis were hostile, but submitted, and on the 9th March entered into an Engagement (No. LXVI) for the maintenance of the peace of the border.

In 1855 they again committed a raid on British territory, but finally submitted, and entered into a second Engagement (No. LXVII).



For some years affairs were quiet, but about 1869 there was a recurrence of Turi aggression, which was mainly connected with the differences outstanding between them and the Wazir tribe. In that year the differences between the two tribes were adjusted, and the Turis entered into an Engagement (No. LXVIII) to respect British territory, and to refrain from attacking the Wazirs. This engagement was on the whole well observed by the Turis; but the feud between them and the Wazirs increased in intensity, and the country around Biland Khel witnessed some sanguinary encounters. In 1877 and 1878 the Turis were much occupied with their own internal affairs; they were cruelly oppressed by the local Governor, and at length, in despair of receiving redress from the Amir, disavowed his authority.

In 1878, on the outbreak of war with Afghanistan, British troops were despatched to the Kurram district and occupied it, being well received by the people. The treaty of Gandamak (see Afghanistan), which concluded the first stage of the war, provided by article 9 that Kurram should in future be treated as an assigned district to be administered by the British Government, who were to pay to the Amir of Kabul any excess of revenue over expenditure. Under the settlement subsequently made with the Amir, Abdur Rahman, the district was definitely excluded from Afghanistan. This arrangement was, however, subsequently modified (No. LXIX), the western portion, Hariab and the Jajis, being restored before the close of 1880 to the Amir, while Kurram proper with the Turis and Bangashes—the Kurram river being fixed as the boundary—was declared independent. On the withdrawal of British troops from the valley the tribes were informed that, so long as they desired it, the British Government would protect their independence against any interference on the part of the Amir, conditionally on their following the advice which the British political officers might think proper to offer them. At the same time all desire to meddle in their internal affairs was disclaimed.

They were nominally governed jointly by Saiyid Badshah Gul and Muhammad Nur Khan, the Chiefs of the two leading Turi factions, the Dremandai and Mian Murid. In practice, however, these Sardars were unable to exercise much effectual control.

In 1885, as a tentative measure and in the hope that the tribe would be able to manage their affairs more satisfactorily under his guidance, an assistant commissioner of the Punjab service was appointed to the Thal outpost on their border, and empowered to make occasional visits to the Kurram. The experiment did not, however, answer, and in 1887 he was withdrawn from the Kurram valley, where he had spent ten months.



In 1888 a joint British and Afghan commission was appointed to settle outstanding disputes between the Turis and their Afghan neighbours, but this was to no purpose; and the British commissioner and his escort were consequently withdrawn. The Amir was informed of this unsatisfactory result, and warned that his officials should not interfere with the Turis, who were regarded as independent by the British Government. The Amir continued to complain of their conduct, and the Government of India offered to send an English officer to enquire. At the end of 1891 the robber Chikkai (who has been mentioned in connection with the Zaimushts) returned from a visit to Kabul and seized lower Kurram. Fighting went on, and the Turis appealed to the Government of India for help; till at the end of 1892 the Government of India determined to act on the wishes of the Turis and a suggestion made by the Amir, and sent a political officer, accompanied by an escort of troops, to make some permanent settlement of affairs in Kurram. Accordingly a strong military escort entered the valley in October 1892. The Zaimushts, who had forcibly taken possession of lower Kurram, withdrew quietly to their own country, and the administration of the Kurram valley was taken over permanently by the British Government. A head-quarters station, with a fort, has been constructed at Parachinar.

The Kurram Militia was raised in 1893, and now numbers 1,400 men and holds the entire valley. A subordinate civil staff for carrying out the civil and criminal administration was appointed in 1893, and in the same year the valley was assessed to revenue on the basis of the old Durani assessment.

In 1904 regular settlement operations in the Kurram valley were commenced. They were concluded in 1905, and received the approval of the Government of India in February 1906. The settlement is for 20 years and took effect from the kharif of 1905.

### 9.—PARA-CHAMKANNI TRIBE.

This tribe inhabits the hilly country which lies to the west of the Massozai valleys up to the Safed Koh range, and borders the Kurram valley from the Kirman Toi to the Khurmana. Its origin has never been satisfactorily explained, but the generally accepted theory is that the Para-Chamkannis are an off-shoot from the Aryob Chamkannis occupying the Keraiah valley, and that, at the time the Kurram valley came under the subjection of the Turis, the Chamkannis residing in Kurram were driven out into the hilly country which they now inhabit, and that, being cut off from



their main tribe, they became known as the Para-Chamkannis. The tribe claims that the village of Chamkanni near Peshawar city was founded by members of their clan, but no proof of this assertion has ever been produced. From time immemorial the Para-Chamkannis have existed merely by plundering and raiding upon their neighbours. The religion of the tribe is that of the Sunni Muhammadans, but from long intercourse with the Turis and out of self-interest, considerable numbers have become Shiahs and reside in the border villages of Kirman and Bogakkhi.

During the Durani administration of Kurram the tribe, and specially the Khanni Khel section, constantly raided into Kurram, and on more than one occasion the Durani Governors took steps to punish the tribe, but with little success. From 1892, when the British Government took over the administration of Kurram, to 1897 the tribe maintained its reputation for raiding. In 1897 it joined in the general rising of the Tirah clans, and in conjunction with the Massozai made an attack upon Sadda. Troops entered the country, but the effect of this measure was shortlived, and raiding again became frequent.

In 1899 a counter-raid was made upon them from Kurram, which proved successful. The tribe surrendered 300 flint-lock guns and 50 breech-loaders; voluntarily took oath that there should be no more raiding; and accepted responsibility for any future theft or petty offences committed by any men of their tribe.

In March 1901 Government sanctioned a yearly allowance of Rs. 1,000 for the tribe, but it was not long before some of the Khanni Khel were guilty of serious offences, including the capture of a leading Saiyid of Kurram. In June 1902, however, they expressed submission and furnished security for future good behaviour. Shortly afterwards in the same year their yearly allowance was increased to Rs. 1,200. No agreements, however, were taken from them.

Since 1904 the Para-Chamkannis have committed frequent raids into Kurram. Reprisals have been made on them and compensation demanded, but so far (1906) these demands have not been fully complied with.

#### 10.—MASSOZAI TRIBE.

The origin of this tribe is uncertain, some authorities regarding it as one of the Orakzai clans. The tribe inhabits two valleys bounded on the north by the Lozakha range, on the north-west by the Safed Koh, on the west by the Para-Chamkanni country, on the south by the Kurram valley, and on the east by the Alisherzai country. The Khurmana river, which joins



the Kurram river at Sadda, runs through their country, and the principal road giving access to the Massozai country passes along the dry bed of this river. The road for 6 miles runs through the Khurmana defile before reaching Lawara Mela, where the Gara-Massozai valley opens out to the north, while to the east lies the valley inhabited by the Samil Massozais.

The tribe is divided into two main branches:—

- I. The Samil Massozai, consisting of the Khoja Khel and Ash Khel sections.
- II. The Gara, consisting of the Mastu Khel and Abdul Mirzai, commonly known as Dilmarzai.

Before the Durani administration of Kurram this tribe owned the lands in Kurram on the right bank of Khurmana from Sadda as far west as the present village of Sandar Kot. For some generations the Massozai enjoyed the right of coming down once a year *en masse* and living free for a day at the expense of the villagers of Balish Khel, Ibrahimzai, Sangina, and Gharlima Kila, in Kurram, in token, it is said, of the lands upon which these villages are built having originally belonged to the Massozai. They also levied tolls at Balish Khel upon traffic along the main road up the Kurram valley. Sardar Wali Muhammad Khan, when Governor of Kurram, commuted the tolls for a cash allowance. After the Afghan war the Massozai resumed their practice of levying tolls and their semi-feudal claim to a day's feeding. In 1884 a British official was deputed to the Kurram valley, and he commuted all the claims of this tribe for Rs. 500 a year. This payment appears to have ceased about 1886, from when to about the time of the conquest of lower Kurram, the Massozai resumed their ancient rights. In 1893, after the British Government had taken over the administration of Kurram, the tribe were granted an annual allowance of Rs. 500 in commutation of all their claims. The tribe joined, however, in the general rising of 1897, and their country was visited by a column of the Tirah Expeditionary Force. As part of their punishment their allowance was forfeited. In 1902 they were granted an annual subsidy of Rs. 2,000 a year, the Gara Massozai receiving Rs. 1,200 and the Samil Massozai Rs. 800. On the 25th February 1903, when the first actual payment was made to the Sami Massozai, the Jirga gave an Agreement (No. LXX), binding themselves to maintain peace and security along their border, etc.

Payment to the Gara Massozai was delayed owing to the misconduct of the Mastu Khel section, but the Dilmarzai section, having consistently been of good behaviour, received their share of the allowance on the 14th April 1903, after the Maliks had handed in an Agreement (No. LXXI). On



the 13th October 1904 the Mastu Khel section made a complete submission and, having given an Agreement (No. LXXII), they were paid the allowances due to them. Since then the tribe has behaved well towards the British Government, but internal quarrels are frequent.

## (II) DERAJAT FRONTIER.

The portion of the north-western frontier which adjoins the Bannu, Dera Ismail Khan, and Dera Ghazi Khan districts is occupied by a number of Pathan and Baluch tribes, the most northerly of which are the Wazirs; then come the Daurs, the Bhattanis, the Shiranis, and then a number of Baluch tribes.

### 1.—WAZIRS.

The Wazirs are a large tribe of Pathans who inhabit the hill country to the west of the trans-Indus frontier, from Thal in Miranzai to the Goma, pass. The fighting strength of the whole tribe is estimated by themselves at 78,000 men.

The main branches of the Wazirs are three, descended from the three sons of *Khizri*, the son of *Wazir*; these were—

1. *Musa Darwesh*, from whom are descended the *Darwesh Khel*.
2. *Mahmud*, from whose son, *Masaud*, are descended the *Mahsuds*.
3. *Mubarak*, after whose son, *Gurbaz*, the *Gurbaz* tribe is named.

*Wazir* also had another son, *Lali*, whose descendants are now settled on the Safed Koh.

- (1) The two main sections of the *Darwesh Khel* are the *Utmanzai* and *Ahmadzai*.
- (i) The *Utmanzais* are scattered about the country between the valley of the Kurram and the valley of the Shaktu. Their main divisions are as follows:—
  - (a) *Ibrahim Khel*, comprising the *Madda Khel*, *Mansar Khel*, and *Tori Khe.*
  - (b) *Wali Khel*, comprising the *Bakka Khel*, *Jani Khel*, *Kabul Khel*, and *Malikshahi*.
  - (c) *Mohmit Khel*, comprising the *Bora Khel*, *Wuzi Khel*, *Khiddar Khel*, and *Hassan Khel*.

Waziristan did not come under British control until Sir Mortimer Durand obtained, on November 12th, 1893, the signature of the Amir to an agreement whereby the latter renounced all claim to Waziristan, excepting the tract known as Birmal. The actual delimitation of the boundary was undertaken at the end of 1894 and completed in 1895. While the demar-



cation commission was in Daur, the Daur and Wazirs inhabiting the valley petitioned the British Government to take over the valley to protect them from their Wazir and Mahsud neighbours. The Government of India consented in October 1895 to do so, but no specific written agreement with the Malikis appears to exist. Allowances amounting to Rs. 47,872 a year were granted in the same year to the Darwesh Khel Malikis, who, in return, undertook territorial responsibility for offences and the prevention of raids and other offences across the Afghan border, and made promises of good behaviour. The tribes enjoying allowances under this agreement are the Ahmadzai and Utmanzai Wazirs, and also the Saidgis and Kharsins, who are of Saiyid origin, living between the Tochi valley and Khost, and of insignificant importance.

One of the sections of the Utmanzais is the Kabul Khel, numbering about 2,600 fighting men. Between 1851 and 1854 the Kabul Khel committed a number of raids, for which they were blockaded, and several of them were seized in British territory. These measures resulted in their submission and the conclusion of an Agreement (No. LXXIII). In 1859 the Kabul Khel gave shelter to the murderers of Captain Meham, and a considerable force was despatched against them under the command of General Chamberlain. Arrangements having been made with them and other clans implicated for the capture and surrender of the murderers, the objects of the expedition were attained without bloodshed. In 1869 the Kabul Khel were concerned in a raid on Thal. For this they were fined Rs. 2,000, and an Agreement (No. LXXIV) was taken from them. In 1871 a sudden visit was made to the country of the Saifali clan of the Kabul Khel, the principal receivers of stolen cattle from the Bannu district, with the object of showing them that they were not safe from punishment. This resulted in their voluntarily signing an Agreement (No. LXXV) to restore all stolen property and refuse shelter to heinous criminals. In 1874 reprisals were made on the Miamai section of the Kabul Khel for plundering. In March 1874 a military demonstration was made at Thal for the purpose of effecting a settlement of outstanding claims against various clans of the Utmanzais. A satisfactory settlement was concluded in April with the Kabul Khel and Malik Shahis, and with the Khojal and Taji Khel Ahmadzais.

In 1872 the Bakka and Jani Khels joined in the agreement given by certain sections of the Ahmadzais (see *infra*).

During the Afghan war in 1880 some of the Mohmit Khel and Tori Khel, with other clans, were guilty of outrages.

In October 1880 a military expedition under Brigadier-General J.



Gordon was sent into the Malik Shahi country to facilitate the collection of penalties inflicted for minor offences committed by that clan and the Kabul Khel on the Kurram route. The Jirgas of the clans came in and settled the demands against them. Throughout 1881 the Kabul Khel and Hathi Khel Ahmadzais, with other clans on the Bannu border, still continued their depredations. In February 1882 a further settlement was effected, but since then the Kabul Khel have committed various offences and harboured absconding offenders.

In 1891 the late Amir of Afghanistan, Abdur Rahman Khan, entered into a matrimonial alliance with the Kabul Khel by marrying the daughter of Malik Rahmat Shah of the Masti Khel sub-section. Rahmat Shah was at the same time admitted to an allowance to be paid from the Kabul treasury. In consequence of offences committed by Gulbat in the Khost *ilaka* the Amir of Kabul in 1892 captured his village.

In June 1897, in consequence of an outrage on the Political Officer and his escort at Maizar in Madda Khel limits, punitive columns inflicted severe damage on the Madda Khels, and their allowances were forfeited. A settlement was effected in 1897, whereby they undertook to make reparation for their offences, but no written agreement with them was entered into until 1901, when new allowances in return for good behaviour and territorial responsibility were granted to the tribe (No. LXXVI).

After 1882 the conduct of the Utmanzai sections in Bannu improved. In 1890, however, the Bakka Khel were fined Rs. 3,500 for misbehaviour. In 1895, on the establishment of the Political Agency of the Tochi, the control of the Mohmit Khel and Ibrahim Khel branches of the Utmanzais was transferred to the Political Agent from the Deputy Commissioner, Bannu. The behaviour of the Bakka Khel and Jani Khel continued to give a good deal of trouble, the misconduct of the former being due to internal feuds, and of the latter to the unrest caused by the presence of a party of outlaws in the village of Khui in independent territory to the south of the Shaktu ravine. In 1899 the Jani Khel succeeded in ridding themselves of these outlaws, and behaved fairly well until 1901, when they were fined Rs. 5,000 for allowing a gang of raiders to pass through their limits and attack the police station of Ahmadzai in November of that year. During the Mahsud blockade an attempt to enlist the co-operation of the Darwesh Khel ended in a fiasco, on account of their religious sympathy with the Mahsuds, though a contingent accompanied the Deputy Commissioner, Bannu, and the Shaktu column. In June 1902 the Islam chauki border military police post was attacked and a fine of Rs. 10,000 inflicted on the Bakka Khel, Tori Khel, and Muhammad Khel, a section of the Ahmadzai, for their complicity in the affair.



In consequence of the looting of border posts in the Bannu district, and the sack of the Gurguri police-station in the Kohat district, the Government approved in November 1902, of the despatch of four brigades into the Thal-Idak tract of the Darwesh Khel country. The Kabul Khels, together with the Turi Khel and certain sections of the Ahmadzais, living north of Bannu, were surprised and salutary punishment was inflicted. The effect was excellent and resulted in the surrender of the absconded offenders, who had taken refuge in Wazir limits; a large number of these absconded offenders were convicted and imprisoned after trial.

In 1903 negotiations were commenced with the Wazir tribes for a route from Tochi to Thal, and also from Thal to Bannu, and as a result of the pacification of the country the Idak-Thal and Bannu-Spinwam roads were opened up. Agreements (No. LXXVII) were taken from the Utmanzais, as well as from the Admadzai tribes (see *infra*), wherein they all agreed to protect the roads and accepted other conditions, receiving in return annual allowances aggregating Rs. 8,624.

The (ii) *Ahmadzais* are divided into the Hassain (or Shin) Khel and Kalu Khel. The Hassain Khel is again divided into the Umarzai, Sirki Khel, and Hathi Khel sections. The Kalu Khel is divided into the Nasrudin Khel and Sperkai: the latter are divided into the Muhammad Khel and Sperkai proper, comprising the Sudan and Sada Khels. The greater part of the above-mentioned sections live in the Bannu district. Of the Nasrudin Khels two sub-divisions, the Bahmai Khels (Zalli-Taji and Gangi), live almost entirely in Wana and its neighbourhood; the Shadi Khels (Khoja Khels, Shadakais, Bizan Khel, Khunia Khel, Painsa Khel, Bodin Khel) are scattered between Kohat and Wana.

In June 1870 the Muhammad Khel, being dissatisfied with some order connected with their responsibility for the Kurram pass, fired on a detachment of troops on the Kurram road. They were proclaimed, and reprisals taken. Refusing to accept the terms imposed by Government, which included the surrender of the original offenders, they continued hostilities for many months, and it was not till September 1871 that the tribes surrendered unconditionally. The Umarzai, Bizan, and Sudan Khels, who had actively, or passively, aided the Muhammad Khels, were at the same time called to account and punished by fine and otherwise. In April 1872 the Umarzai, Muhammad, Bizan, and Hathi Khels, with the Bakka and Jani Khels of the Utmanzai division, entered into an Agreement (No. LXXVIII) for the regulation of their frontier responsibility. In the end of 1872 the Muhammad Khel prisoners were released.



During the Mahsud operations of 1894-95 the behaviour of the Ahmadzais was satisfactory, and in 1895 the Ahmadzais, like the Utmanzais, were granted allowances in connection with the extension of influence over the Tochi.

In 1898 an attempt was made by an influential Spermakai Malik, named Mani Khan, to combine the Ahmadzai tribes in an attack on the Mahsuds. This was strongly discountenanced by Government. A raid, however, on the Barganattu border military police post in January 1899 by outlaws from the Spermakai village of Gumatti was considered at the time to be the result of Mani Khan's agitation.

The history of the Ahmadzais on the Bannu frontier from 1896 is mainly the history of these outlaws. From this year they gave ceaseless trouble, and a long series of murders, dakaitis, and robberies, having culminated in an attack on the Barganattu border military police post, troops were despatched against Gumatti village on the 5th February 1899. They were successfully defied by the twelve principal outlaws, and on their return journey sustained a certain number of casualties. When the village was again visited by troops a few days later it was found to have been deserted. After this general lawlessness and insecurity of life and property increased.

In May 1900 Hathi Khel and Umarzai outlaws attacked Domel police station. In June 1901 the Baran border military police post was raided and the Muhammad Khel fined Rs. 5,000. Finally in November 1902, after another outrage had occurred at the Gurguri police station in the Kohat district, military operations were undertaken against the Darwesh Khel on the Kurram and in the tract of country to the east of this river lying between Bannu and Thal. The operations were completely successful. A large number of outlaws was subsequently surrendered to the Deputy Commissioner, Bannu, and order restored all along the frontier.

In January 1879, under the excitement of the time and of the Mahsud attack on Tank, the Zilli Khel seized a small British outpost, but were soon reduced to submission.

In 1890, in connection with the opening up of the Gomal pass for traffic, the Zilli, Sirki, and Tazi Khel Wazirs of Wana were offered and accepted service from Government for guarding and keeping open the pass, on an annual allowance of Rs. 10,980. Levies of these clans were accordingly entertained at a monthly cost of Rs. 915.

In 1894 Wana was occupied with the acquiescence of the three Bahmai Khel sections and of the Khojal and Sirki Khels. In 1895 these sections, as



well as some of the Shadi Khel sections living in Shakai, were granted allowances amounting to Rs. 3,612 a year for services in Wana. In the same year all Wana Ahmadzais were exempted in perpetuity from *begar* labour and payment of land revenue on their lands situated in Wana. Their Malik and land owners who had rendered conspicuous service were granted sanads to this effect. The system of tribal levies was discontinued with the establishment of the militia. The Biland Khels, though associated with the Kabul Khel Wazirs, belong actually to the Bangash tribe, which is settled in the Kurram valley and throughout Miranzai. Their cluster of villages and towers called Biland Khel is situated on the right bank of the Kurram river some two miles south of the Thal village, and could muster some 300 fighting men, mostly armed with pass-made Martini-Henri, Snider, and Enfield rifles. In politics the Biland Khels are naturally influenced by their neighbours, the Kabul Khels, with whom it is to their interests to keep on good terms, and they have a lasting enmity with the people of Thal.

The Ahmadzai tribes receive allowances for the protection of the Idak-Thal and Bannu-Spinwam roads (*vide* Utmanzais).

The (2) *Mahsuds* have their homes beyond the border in the northern Suliman hills between the Tochi and Gomal rivers. They are divided into three main branches: (1) the Bahlolzai, numbering 7,000 fighting men, and comprising the Aimal Khel, Shingi, Nana Khel, and Band Khel; (2) the Shaman Khel, with 3,000 fighting men, comprising the Chahar Khel, Khali Khel, Galleshahi, and Badinzai; and (3) the Alizai, with 7,500 fighting men, comprising the Shabi Khel and Manzai.

The Mahsuds had for years remained hostile towards the British Government, and lawless bands, recruited from the sub-divisions of the tribe residing nearest to the British border, had constantly plundered and harried the neighbouring British territory. The inconvenience of this had been somewhat less felt from the fact of their operations being almost entirely confined to the Tank border. This was not under direct British management, and Nawab Shah Nawaz Khan, Khati Khel, Chief of Tank, contrived to carry on matters in a half friendly, half defensive manner, which, though scarcely satisfactory, it was deemed unadvisable to interrupt. A crash eventually came, when, in March 1860, in the absence of the Nawab and the chief military and civil authorities, the Mahsud tribe, headed by their most famous Malik, attempted to plunder the town of Tank. They were defeated with great loss by a body of Punjab cavalry and some mounted police. This defeat was followed up within a month by an expedition into the Mahsud hills. Ransom was taken for one of the two chief towns of the tribe, and the other town



was destroyed. The Mahsuds felt this blow heavily, but would not at first make peace. The force returned in May 1860. In March 1861, after a year of comparative quiet, the heads of the tribes came down to sue for peace. Terms were offered them, which they said they would not accept, and they returned to their hills.

After this they tried to do all the mischief they could, but rather lost than won in dealing with the British outposts. In June 1861 they again sued for terms; and whereas they had been before required to make peace as one body, they were now allowed to deal with Government by sections, there being three large divisions of the tribe. This was considered a boon; peace was made (No. LXXIX) with apparent good-will on both sides, the British Government securing to itself the power of indemnity for injuries by the confiscation of the merchandise of offending sections of the tribe. In less than two months the peace was broken by the murder of a party of grass cutters. This was said to have been done at the instigation of a Malik who had not been a consenting party to the agreement. Two sections were concerned in this murder. All their tribesmen within reach and all their property were seized, and the tribe was excluded from British territory. This exclusion continued till the middle of October, when the heads of the tribe came down and made good the fine of Rs. 4,500 imposed upon them by the terms of the agreement. Peace was thus temporarily restored, and an attempt was made to settle some of the Bahlolzai section in British territory and to give them service in the frontier militia. The experiment was not successful, and the Mahsuds continued their depredations in the Tank valley, till in 1864 the Bahlolzai section was excluded from trading in the Bannu and Dera Ismail Khan districts. A second attempt to employ the Mahsuds in agriculture and frontier service was made in 1866 and was partially successful; but the Bahlolzai section could not abandon their old habits: murders and robberies in British territory were of common occurrence, and no punishment followed beyond exclusion from British territory.

Wearied at length of their continued proscription from intercourse with British territory, the Shaman Khel made full submission in March 1873 on the terms (No. LXXX) offered by the British Government, *vis.*, that they should pay a fine of Rs. 3,000; be held responsible for the misconduct of individuals; and give twenty hostages as guarantees of future good behaviour. Their example was followed in 1874 by the Bahlolzai section (No. LXXXI) of the Mahsuds.

The experience of the past showed that the position of Tank, under a Nawab in whose hands were vested not only the direct management of British relations with the Mahsuds, but also all powers of political and magisterial



jurisdiction, was both a source of weakness in repelling raids and a fruitful cause of complications with the tribe. Accordingly a change of policy was inaugurated. In 1875 executive and police jurisdiction was withdrawn from the Nawab, and Tank was amalgamated with the Dera Ismail Khan district. In 1876 another measure, which added greatly to the safety of the border, was accomplished. The Bhattanis, a tribe which lay between the border and the Mahsuds of the higher hills, undertook the watch and ward of all passes on their frontier. Similar arrangements were made with the Mianis and Ghwarazais on the skirt of the Gomal valley. As the result of these measures, the record of crime against the Mahsuds became rapidly smaller and more easy to deal with. From August 1877 to March 1878 the whole of the tribe was under blockade. On the 1st January 1879 the peace was, however, rudely broken. A large body of about 3,000 Mahsuds suddenly descended from the hills upon the town of Tank, and sacked and burnt it. This was the signal for general disorder. The Zilli Khel of the Ahmadzai Wazirs, the Mianis, Ghwarazais, and others were active in raiding, but they were soon reduced. The Bhattanis, who failed to offer any resistance to the raiders, were punished. But for a time nothing could be done against the Mahsuds beyond establishing a strict blockade. The outbreak was attributed in considerable measure to the intrigues of Umar Khan, a fanatical mulla, acting under instructions from Kabul. In a second raid on the 19th January three British villages near Kot Nasran were attacked. Throughout 1879 and 1880 Mahsud raids were of constant occurrence. The rigorous blockade which had been maintained for two years proving of no avail, a military expedition was despatched into the Mahsud country in April 1881. By July the Mahsuds had submitted to the terms imposed by Government. The ringleaders of the raid on Tank were surrendered, and arrangements were made to realise the fine of Rs. 30,000, which had been imposed as a penalty, by a tax on Mahsud imports, and to return the property plundered or its equivalent. On this the blockade was raised. In 1884, on account of the good behaviour of the tribe, four of the surrendered Maliks were released; and since then the tribe have been fairly well conducted.

In 1890, in connection with the opening up of the Gomal pass for traffic, the Alizai, Bahlolzai, and Shaman Khel sections of the Mahsud Wazirs were offered and accepted (No. LXXXII) service from Government for guarding and keeping open the pass, on an annual allowance of Rs. 30,456 in addition to their old service allowance of Rs. 19,000. Mahsud levies were, under this arrangement, entertained at a monthly cost of Rs. 1,705 and personal emoluments amounting to Rs. 833 a month were bestowed on



the leading Maliks. Further, the realisation of the tax imposed in 1881 on Mahsud imports into British territory was suspended conditionally on their future good behaviour. In January 1891 a meeting was convened at Pezu with a view to settling the dispute that had arisen in consequence of a raid made by the Darwesh Khel on the Mahsuds in 1889, and the retaliatory raid by the latter on the former in 1890, as well as other outstanding quarrels between these two sections of the Wazir tribe. Mutual agreements were come to which settled satisfactorily all the disputes.

During the cold season of 1890-91 a railway survey was carried out in the Gomal pass; and the behaviour of the tribe was good throughout the operations.

In 1892 the Amir showed signs of interference with Waziristan, and his emissaries with armed escorts appeared as far down as Jandola. The movement of troops, however, to Jandola and Kajuri Kach resulted in the recall of the Afghan emissaries. As a result of this interference, however, offences were numerous, necessitating the levying of fines from the Mahsuds and Wazirs. In 1893 Mahsud offences were even more numerous. In 1894, as a result of the Durand Agreement, the Commissioner of the Derajat proceeded up the Gomal to Wana with a strong escort. The object of the mission was the demarcation of the Indo-Afghan boundary, but opportunity was also taken to accept the invitation of the Ahmadzais of Wana to occupy their country. On the 3rd November the escort while encamped at Wana was attacked at night by over 500 Mahsuds instigated, though not led, by the Mulla Powindah. They succeeded in inflicting considerable damage, but were themselves severely punished on retirement. The Government of India ordered that negotiations were to be resumed with the tribe on the assumption that the whole tribe was not concerned in the attack, and that the Maliks were still anxious to carry out their responsibilities. Certain terms were imposed on the tribe, which, however, they failed to carry out, and on the 16th December a punitive force entered Mahsud country. Little opposition was encountered and the crops and towers of those concerned in the Wana attack were destroyed. Finally the terms of Government were complied with and the force withdrew. After this steps were taken to render more effective the control over Waziristan. The allowances paid to Mahsud Maliks were redistributed, and the total amount so paid raised to Rs. 61,548.

For some two years the Mahsuds remained comparatively well behaved and they took absolutely no part in the disturbances of 1897. During the summer of 1898 there was a recrudescence of Mahsud offences, and this continued till the autumn of 1900, when the Mahsud Jirga was called in and



informed that as the Malikhs had failed to control the tribe the allowances would in future be distributed to the whole tribe and not to the Malikhs; that in the meantime a fine of one lakh of rupees had been imposed on the tribe for the many offences committed by them; and that until this was paid, allowances would be withheld, and the whole tribe placed under blockade. This blockade came into operation on the 1st December 1900. Payments at first were made regularly in cash or kind. But about the summer of 1901 payments practically ceased and offences of a serious nature, especially those directed against Government servants, became rife. Accordingly in the winter of 1901-02 active measures were employed, and the Mahsud country was visited by columns, which inflicted very heavy losses of life and property on the tribe. Consequently the Mahsuds sent in a deputation offering complete submission, payment of the balance of the fine, and restoration of all rifles and cattle stolen during the blockade. These terms were accepted and in March 1902 the blockade was raised. The grant of allowances was resumed, the Alizai, Bahlolzai, and Shaman Khel receiving one-third each of Rs. 54,000, and a new Agreement (No. LXXXIII), dated the 5th April 1902, was taken from the tribe, which cancelled that of 1895. In 1903 it was found that sufficient provision had not been made for remunerating the leading men of the tribe who actually represented it in its dealings with Government, and a further sum of Rs. 9,000 was sanctioned which, in addition to Rs. 7,000 previously set apart for *lungis*, was distributed among their leading men by the different sections. Since then the Mahsuds as a tribe have behaved satisfactorily. They enlisted in large numbers in the Southern Waziristan Militia and were giving every satisfaction. But in September 1904 Captain J. B. Bowring, in February 1905 Colonel Harman, and in November 1905 Captain J. W. E. Donaldson, were all murdered, the two former by Mahsud sepoy, the latter by an *ex-sepoy*, of the militia. After Colonel Harman's murder the Mahsud sepoy in the militia were disarmed and discharged. Subsequently the recruitment of Mahsuds from the tribe was resumed under more stringent conditions, the family, section, and tribe making themselves responsible for the individual acts of all recruits for whom they vouched. In connection with the murder of Captain Donaldson it was ascertained that this crime, and the two murders which preceded it, were not mere acts of individual fanaticism, but were the results of conspiracy, and the Mahsuds were fined Rs. 25,000; their allowances were suspended; and they were required to surrender for trial five men of their tribe suspected of the murder. The fine money was deducted from the tribal allowances, four of the five suspects were unconditionally surrendered, and security was given



for the surrender of the fifth, who had fled from Mahsud limits, in the event of his return.

## 2.—GHILZAIS.

The roadway of the Gomal has from time immemorial been used by the Nomad tribe of Ghilzais as their principal route between Afghanistan and India. There is in the Wana Agency a settlement of Dautanis, numbering about 700 fighting men, living in the Wana plain and on the lands down the Toi stream to the Gomal. These are the remnant of the Dautanis who originally took the Wana plain from the Nasir Ghilzais, only themselves to be dispossessed by the Wazirs. A large number of the Suliman Khel Ghilzai section, on their annual migration to and from India, also remain for a considerable period in the Zarmelan plain. There is, however, but one permanent settlement there, that founded by Khan Khan, a Suliman Khel refugee, who on his flight from Afghanistan was allowed a settlement in Zarmelan and given an allowance of Rs. 75 a month. He is now dead, but his allowance has been partially continued to his son, Khan Tuma.

In 1897 the question of the realization of some grazing dues from the Suliman Khels and Dautanis was taken up, and by agreements executed in that year allowances of Rs. 2,750 and Rs. 1,156, respectively, were fixed for the Suliman Khels in the Wana Agency and the Dautanis. After this, however, the payment of grazing dues, and, as a corollary, of the allowances, fell into great irregularity; but in 1902 fresh Agreements (No. LXXXIV) were taken from these tribes reviving those of 1897. Since then tiri (grazing tax) and allowances have both been paid regularly.

The *Mianis*, a division of the Ghilzai tribe, inhabit a portion of the Gomal valley.

On the opening up of the Gomal pass sanction was accorded to the construction of a post at Kashmirkar in the Miani hills. This was subsequently garrisoned by Miani levies, who had accepted service on the usual terms as to pay and allowances. The Miani levies were subsequently disbanded, and Kashmirkar was taken over by the Southern Waziristan Militia. It has since been abandoned.

## 3.—DAURS.

South and east of the lands of the Utmanzai Wazirs, and north of those of the Mahsud Wazirs, lie the two valleys of upper and lower Daur. Daur extends nearly due west of the point where the Tochi river breaks through the Suliman hills and enters the Bannu district. The Tochi flows through



the whole length of the valleys. The lower valley is inhabited almost wholly by *Daur*s of the Tapizai section, numbering 2,333 fighting men. In the upper valley there is a large proportion of Wazirs, the *Daur*s (of the Malai section) mustering 4,000 fighting men, and the Wazirs, 3,000.

The *Daur*s are a tribe of doubtful origin. They claim to be Karlanrai Afghans, but they are destitute of many of the manly and warlike qualities of the Pathan.

In 1847 the British Government relinquished on the part of the Sikhs all rights to *Daur*; and in 1855 the Government of India formally renounced in favour of the Amir Dost Muhammad Khan all claim to sovereignty over *Daur*. Nevertheless the country remained, as it was before, independent of Kabul, whose sovereignty over it has never been more than nominal.

After the annexation of the Punjab, the British Government first came into contact with the *Daur*s in 1851, when a party of them, in company with the Umarzai Wazirs, attacked a police guard. They were driven off with heavy loss, and from that time to 1870 gave little trouble on the British border.

In 1870 the *Daur*s sheltered and assisted the Muhammad Khel Wazirs, then in rebellion against the British Government. For this they were fined Rs. 6,500. The upper *Daur*s paid their share of the fine amounting to Rs. 1,500, but the inhabitants of the lower valley refused to do so, and maintained an insolent and defiant attitude. A small force was, therefore, despatched against them, and after the capture of one of their villages they submitted unconditionally and paid their share of the fine. They also entered into an Agreement (No. LXXXV) in February 1872 similar to that executed with the Saifali section of the Kabul Khel Wazirs.

The conduct of the *Daur*s thereafter continued to be satisfactory until 1876, but in March of that year they were summoned to answer for raids on a British military post. They came in and made restoration. In August 1877 a small party of the tribe made a murderous attack on a police post at Kach Kot. The demand for the surrender of the criminals was neglected, and a blockade was accordingly proclaimed. But it was not till June 1878 that the *Daur*s, under apprehension of a military expedition, tendered their submission and made reparation.

During the Afghan war, in 1879 and 1880, the *Daur*s kept up a series of attacks on the lines of communication; but these being mainly beyond the frontier, the Government of India declined to sanction the despatch, as proposed in 1881, of a military expedition to punish the valley and obtain



satisfaction. Since then the conduct of the Daurs has given little cause of complaint.

As a result of the agreement with the Amir regarding the boundary of Waziristan in 1892, the actual delimitation thereof took place in 1894 and 1895, and at the request of the Daurs and Wazirs of the Tochi valley, made in April 1895, the British Government took over their country in October 1895. At the same time the Daurs were granted annual allowances amounting to Rs. 15,864, subject to the condition of good behaviour on the part of the tribe and of all individual recipients. No written agreement, however, appears to have been taken from them.

On annexation a summary settlement was carried out, and a revenue demand of Rs. 8,000 made. In the autumn of 1903 a resettlement of the Daur valley was completed, and the revenue demand raised to Rs. 36,000.

#### 4.—BHITTANIS.

The Bhittanis hold the hills on the borders of Tank and Bannu from the Gabar mountain on the north to the Gomal valley on the south. They are Pathans. The fighting men of the sections beyond the border number over 3,000 men. Their strength within British territory in the Tank plain is estimated at 1,450. The tribe has three main branches: (a) *Dhannas*, (b) *Tattas*, (c) *Uraspans*. A small Saiyid clan, called *Koti*, is affiliated to them.

They were formerly a troublesome race, but in the expedition against the Mahsuds in 1860 they gave the British force some little assistance. In 1865-66 a settlement was made with them, whereby they were given about 20,000 kanals of land in the Bannu district, on condition that they brought the land under cultivation, and that the Dhannas made themselves responsible for the passes leading through their lands into British territory. The land was to be held rent free for the first 10 years, and then at ordinary unirrigated pargana rates. In 1877, however, it was decided that the lands should be held *kham*, subject to certain rules proposed by the settlement officer. The Dhannas were also granted a takkavi advance of Rs. 1,000 in 1866 to assist them in bringing the land under cultivation. This advance was subsequently remitted in 1885.

In 1874 the Bhittanis entered into an agreement to be responsible for the border from the Kharoba pass to the Larzan. On the reorganisation, in 1875, of the Tank border, in connection with the settlement of the Mahsuds, the Bhittanis accepted (No. LXXXVI) pass responsibility on the Tank as well as on the Bannu frontier, and were given service in the militia and border police.



The tribe, however, failed to take any steps to prevent or resist the descent of the Mahsuds on the occasion of their raid on Tank on the 1st January 1879. They were soon reduced, and were punished by the resumption of their service in the militia, and by a fine of Rs. 10,000. On the 27th March 1879 they renewed their Engagement (No. LXXXVII).

In April 1880 the Bhittanis of Jandola, under the excitement of the preaching of Mulla Adkar of Khost, gave some trouble. A detachment of troops was sent to punish them, and in May they came in and submitted.

In February 1883 their frontier service, which was suspended in 1879, was, in recognition of their general good conduct, restored.

In March 1883 certain sections of the tribe executed an Engagement (No. LXXXVIII) for the passes entered therein.

For a long time past the Mahsuds and the Bhittanis have been on hostile terms, but the peace of the border has not been seriously disturbed.

The behaviour of the Bhittanis continued to be satisfactory. The *muafi* grant of one-fourth of the revenue due on the lands held by the tribe in British territory, which had been suspended in consequence of their complicity in the Mahsud raid on Tank on the 1st January 1879, was restored to them in December 1890. The reorganisation of the present Bhittani service and the redistribution of the pay and Siladari allowances was at the same time carried out, and an Agreement (LXXXIX) was concluded with the tribe.

Since 1890 the Bhittanis have twice given proof of their loyalty to the Government. In the year 1894 about 30 of their Maliks accompanied the boundary commission under Mr. Bruce to the Mahsud country, where they claim to have given assistance; but there is no record of the nature of the services rendered by them. In the year 1901-02 they gave, without doubt, great help to the troops in the blockade operations against the Mahsuds; their hostile feeling against the latter had in no way decreased, and on the termination of the blockade they were given a reward amounting to about Rs. 2,000, and were presented with sanads. Since the blockade they have naturally met with but little mercy from the Mahsuds, which has led to greater hostile feeling than ever between the two. The Government has, however, recognised the predicament in which they were placed and done their utmost to enable them to hold their own. During the settlement of 1900-1905, at the request of the Damani Bhittanis, the system of *batni*, or division of produce, was abolished in the lands lying within the Tank tahsil limits, and an assessment at fluctuating rates for each harvest was made.

The Agreement of 1890 (No. LXXXIX) still remains in force, although in 1903, in order to ensure the safety and tranquillity of the Jandola-Tank



route, a strip of country, formerly lying within Bhittani independent territory, was marked out as protected area, whereby the Bahirs or trading Kafilas of the Mahsuds could pass down to British territory unmolested.

In 1896 internal feuds amongst the Dhanna Bhittanis of Bannu caused some trouble.

In 1901 during the Mahsud blockade the tribe behaved satisfactorily and only one outrage was committed by its members. This was the robbery of the mail tonga in the Pezu pass, for which a fine of Rs. 1,800 was inflicted on the tribe.

In 1905 measures were taken to compel the tribe to act up to the engagement entered into in 1866, as this had been evaded for some years.

Of recent years, owing to their old standing feud with the Mahsuds, they have refrained from outrages in the Bannu district.

It has been found necessary to retain the Bhittani levies until the Jandola post is taken over by the Southern Waziristan Militia.

#### 5.—SHIRANIS.

The Shiranis are a Pathan tribe, occupying the Takht-i-Suliman mountains and the country thence eastward to the border of the Dera Ismail Khan district. Their fighting strength is believed to be about 4,500 men. They are divided into three branches, *vis.*, (a) *Hasan Khel*, (b) *Uba Khel*, and (c) *Chuhar Khel*.

For misconduct on the border a successful expedition was sent against the tribe in 1853.

In 1874 they entered into an agreement acknowledging their responsibility for crimes committed in British territory. From that time to 1882 they gave no trouble; but at the end of 1882 they were guilty of several serious offences. A blockade was established on the 1st January 1883. In a short time they submitted and executed an Engagement (No. XC), dated the 13th July 1883, which was, until 1890, the agreement binding on the tribe as a whole.

At the end of 1883, a military survey expedition being about to visit the Takht-i-Suliman, an agreement was taken from the Chuhar Khel section, but it was only a special and temporary arrangement for the conduct of the section during the expedition.

Geographically the Shiranis are divided into the Bargha, or western, and the Largha, or eastern, Shiranis. The two sections are separated by the Suliman range. The Bargha are under the control of the Baluchistan Agency, and the Largha under the North-West Frontier Province.



In 1890, in connection with the opening up of the Gomal pass for traffic, the Largha Shiranis were offered, and generally accepted (No. XCI), service from Government for guarding and keeping open the pass, on an annual allowance of Rs. 6,804. This sum is paid in monthly instalments of Rs. 567 to selected Maliks. The Largha Shiranis also undertook to bring about the submission of the Khidarzai section of their tribe, who had refused to come in, and held themselves responsible for their future good conduct.

The Khidarzais, a section of the Uba Khel Shiranis, had for many years maintained a defiant attitude towards the British Government. During the survey expedition to the Takht-i-Suliman in 1883 they attacked the escort, and after that their conduct was anything but satisfactory. When the Gomal pass negotiations were in progress, they not only ignored the invitation to come in, but a party of Khidarzai raiders fired on a body of cavalry which was patrolling in the Kapip valley, some eight miles from Appozai. Later they were concerned in an outrage which resulted in the death of Sakhu Khan, one of the principal well-disposed Shirani Maliks. They also harboured criminals from the Punjab and Baluchistan. It was eventually decided to coerce the Khidarzais by military force. The expedition was carried out in October and November 1890 by a combined force acting from Appozai and Draband. The main force entered the country by the Chuhar Khel Dhana, a flying column under Sir G. White's personal command crossing into the Anmar valley over the Murumuzh range. The Punjab force was concentrated at Draband, a detachment being left at Domanda. The object of this force was to keep in check the Hasan Khel, who had recently displayed refractory tendencies. The country quietly submitted, and the only resistance offered was by a few desperadoes; Murtaza Khan, the Khidarzai Chief, however, fled with the refugees. At Kurram a final darbar was held, at which the result of the operations against the Khidarzais was announced to the assembled Shiranis by Sir Robert Sandeman. The tribe as a whole was fined Rs. 6,000, and all pending cases were settled. Hostages were taken for the fulfilment of the terms of settlement, including the surrender of Murtaza Khan and the refugees or their exclusion from the Shirani country. The fine imposed was shortly afterwards realised in full, and before long Murtaza Khan came in and gave himself up. On the completion of the Khidarzai expedition in March 1891, a Jirga of Largha Shirani headmen was assembled at Dera Ismail Khan, when, in consideration of the duties referred to in the Agreement (No. XCII), a sum of Rs. 917 a month was granted to the tribe in the form of service allowances. The Jirga consented to furnish twelve leading men as hostages, as



a pledge for the future good behaviour of the tribe, during the pleasure of the Government.

The Khidarzai headmen, after undergoing 10 months' imprisonment in jail, were released on the 21st September 1891, on paying the fines imposed on them and furnishing security for their future good behaviour.

During the period 1892-1901 nothing of any importance occurred in the Shirani country, but its tranquillity was to some extent interfered with by the murder of Arbab Muhammad Farid Khan, Extra Assistant Commissioner in charge, which occurred at the Domanda post in February 1902, at the hands of a border military police jemadar, named Ahmad Khan, an Uba Khel Shirani. The Domanda post was destroyed at the same time. A small punitive expedition was sent into the country, with the result that most of the leading malcontents were seized and order restored, although Ahmad Khan himself escaped across the border, where he is still an outlaw. The unrest which prevailed in the Shirani country was of short duration, and the troops were soon withdrawn.

Towards the close of 1902, in accordance with clauses (2) and (3) of the agreement of 1891, the tribe were fined Rs. 500 in connection with the murder of a moharrir of the Zhob Agency, which had taken place in September 1901 in the Chuhar Khel-Dhana pass.

In 1899 the Largha *maliki* allowances, granted in 1891, were increased by Rs. 3,600 a year. In the same year the tribe expressed their willingness (No. XCIII) to pay revenue to Government. It was accordingly decided to take from them revenue amounting to Rs. 2,000 a year for two years, and thereafter to bring the tribesmen gradually on to the same footing as the Bargha Shiranis in the Baluchistan Agency. They have, however, continued to pay Rs. 2,000, which represents their only liability to Government. No regular revenue system nor record-of-rights exists in the Shirani country.

The Indian Penal Code, the Code of Criminal Procedure, and the Frontier Crimes Regulation, and the Frontier Murderous Outrages Regulation\* are in force in the Shirani country, and the Deputy Commissioner of Dera Ismail Khan exercises the powers of a district magistrate and sessions judge therein.

#### CHITRAL.

Chitral was formerly divided into two States, *vis.*, lower or Chitral proper, and upper Chitral, including Yasin and Mastuj. Both States were

\* Government of India, Foreign Department's Notification No. 1691-F., dated the 23rd June 1902.



governed by members of the same family, claiming descent from a common ancestor, named Muhammad Beg. Mohtaram Shah (Katur I) was Mehtar of lower Chitral, while his elder brother, Shah Khushwakt, was ruler of upper Chitral.

Aman-ul-Mulk, the Mehtar of lower Chitral and head of the Katur branch, for many years acknowledged allegiance to Kashmir. In 1878 he accepted an Agreement (No. XCIV) with the Maharaja, by which he acknowledged subordination to Kashmir, and undertook to receive an agent from, and to send one to, the Darbar. Under this engagement he received an annual allowance of Rs. 12,000 from the Maharaja.

In 1885 Chitral was visited by a British mission, which succeeded in establishing more friendly relations with the Chief and his sons, and in bringing them into closer contact with the Government of India. Later, in the autumn of 1886 and in the spring of 1888 respectively, the two principal Sardars, Nizam-ul-Mulk and Afzal-ul-Mulk, visited India.

In 1888 Captain A. G. A. Durand visited Chitral for the purpose of keeping up friendly relations with the Mehtar. He was well received, and after his return the subsidy paid to the Mehtar by the Kashmir Darbar was raised first to Rs. 16,500 and then to Rs. 18,000, and an additional subsidy of Rs. 6,000 a year was granted by the British Government.

Pahlwan Bahadur, the late Chief of upper Chitral, was also, though without any written agreement, for some years in receipt of a similar subsidy from Kashmir. He was, however, not satisfied with the way in which he was treated by the Darbar, and in 1880, having brought to a head the intrigues which he had for some time been concerting, he openly invaded Kashmir territory with forces recruited from Yasin, Darel, Tangir, and Hunza. The expedition was unsuccessful, and he returned home to find that Yasin had been occupied during his absence by Aman-ul-Mulk, whom he was unable to oust. All Chitral thus became united under one Chief, and Pahlwan Bahadur died a few years afterwards a homeless fugitive.

On the 30th August 1892 Mehtar Aman-ul-Mulk died, and was succeeded by one of his younger sons, named Afzal-ul-Mulk. His succession was recognised by the Government of India; but shortly afterwards he was murdered by Sher Afzal, his father's brother, who seized the government of Chitral, but was soon attacked and expelled by Nizam-ul-Mulk, the eldest son of Aman-ul-Mulk.

In the winter of 1892-93 a mission was despatched to the new Mehtar Nizam-ul-Mulk. This mission returned to Gilgit in the following June, leaving a political officer at Chitral.



On the 1st January 1895, while out hawking at Broz, a few miles from Chitral, Nizam-ul-Mulk was shot dead at the instigation of his younger half-brother, Amir-ul-Mulk, who then seized the Chitral fort. At this time Sher Afzal, the most popular candidate for the Mehtarship, was interned at Kabul, and the Amir had given a written promise that he would not be again permitted to create disturbances in Chitral. The Amir had, moreover, undertaken in the Durand Agreement of 1893 that he would at no time exercise interference in Swat, Bajaur, or Chitral. Shortly after the murder Umra Khan of Jandol, the brother-in-law of Amir-ul-Mulk, invaded Chitral with a force of Pathans and refused to obey the British Agent's orders to withdraw. The Chitralis at first opposed Umra Khan, but, owing to the weakness and incapability of their leader, Amir-ul-Mulk, and to treachery, the resistance collapsed. In the meantime Sher Afzal arrived from Kabul and began to make common cause with Umra Khan to induce the British officers, by force if necessary, to quit Chitral territory. As soon as it became known that Sher Afzal was in the country, a few of the Chitralis went over to him, and before the end of February the Adamzadas (the noble class) practically joined him in a body. Amir-ul-Mulk now commenced to make overtures to Umra Khan. The British Agent therefore placed him in custody, and formally recognised Shuja-ul-Mulk, a boy of some 14 years old, as provisional Mehtar, pending the orders of the Government of India. On the 3rd March fighting took place outside Chitral fort between Sher Afzal's force and the British Agent's escort, which resulted in the latter having to retire into the fort. The British Agent and his escort consisting of 400 men were besieged by Sher Afzal, with the Jandol Chiefs and Pathans aided by Chitralis, from the 4th March to the 19th April. On the night of the 18th owing to the near approach of relieving troops from Gilgit the whole force of the enemy quietly withdrew and abandoned the siege. On the 26th April the British troops crossed the Lowarai pass and entered Chitral territory. Sher Afzal, captured by the Khan of Dir, and other leading men were sent down to India on the 1st May as prisoners. Shortly after Amir-ul-Mulk was also deported.

On the 2nd September the present Mehtar Shuja-ul-Mulk, younger brother of Amir-ul-Mulk, was installed as Mehtar of the Katur country in the name of the Maharaja of Kashmir as his suzerain, and with the authority and approval of the Government of India. At the same time the Khushwakt districts, Mastuj and Laspur west of the Shandur pass, were taken away from the Mehtar and placed under Governors over whom the Mehtar has no authority. They are included, however, in the Chitral



Agency. The Khushwakt districts on the east of the Shandur pass remained under separate Governors under the control of the Political Agent, Gilgit. This separation of the Khushwakt districts from the Katur rule was in accordance with the request of the Khushwaktis, who had frequently declared their desire to have no more Katur Mehtars over them. The internal administration of Chitral was left in the hands of the Mehtar and his advisers, three advisers being appointed to assist him during his minority. But it was stipulated that traffic in slaves should be absolutely prohibited. In return for security from aggression the Government of India was to control the foreign relations of the State. A political officer was appointed, subordinate to the British Agent at Gilgit, to supervise affairs generally and to give advice and assistance to the Mehtar. A subsidy of Rs. 1,000 a month was granted to the Mehtar, and a further sum of Rs. 8,000 a year to compensate him for loss of revenue arising from the separation of the Khushwakt country from his control. A garrison sufficient to guarantee safety from foreign aggression and to provide a guard for the Mehtar was left in Chitral.

In 1896 the Political Agency at Chitral was separated from Gilgit, and placed under the Political Agent for Dir, Swat and Chitral, who, on the formation of the North-West Frontier Province in 1901, was made subordinate to the Chief Commissioner of the province.

In the winter of 1899-1900 the Mehtar visited His Excellency the Viceroy at Calcutta. In May 1902 the Mehtar was present at the Viceregal Darbar at Peshawar, and on the 1st January 1903 he attended the Coronation Darbar at Delhi, when he was created a Companion of the Indian Empire.

### DIR.

The small State of Dir lies to the south of Chitral. In area it is about 3,000 square miles, with a population of about 140,000. The revenue (including subsidy) is about Rs. 1,65,000, exclusive of sales of timber, which, though fluctuating greatly, average about Rs. 70,000 a year.

The rulers of Dir are Akhund Khel and Painda Khel of the Malezai Akozai Yusafzai. The founder of the line was Mulla Ilias, known as Akhund Baba, a holy man who flourished in the 17th century, but his grandson, Ghulam Khan, seems to have been the first to acquire temporal power.

One of the rulers, Rahmatulla Khan, was indebted to the Maharaja of Kashmir for pecuniary assistance, which enabled him to assert his authority against his brother, Jamdad Khan, who, on the death of their father, Ghazan



Khan, succeeded for a time in obtaining the Chiefship for himself. Rahmat-ulla Khan acknowledged the obligations under which he lay to the Maharaja, and there was for some years a tolerably close connection between Dir and Srinagar. But in 1875, offended at the way in which he was treated by an agent sent by the Durbar to strengthen the connection, the Dir Chief broke off relations with Kashmir, and from that time till his death, he cannot be said to have acknowledged the Maharaja's suzerainty.

The late Chief, Muhammad Sharif Khan, was born about 1848 and succeeded his father Rahmatulla Khan in 1884. He was, shortly after his accession, completely defeated by Aman-ul-Mulk, with whom he went to war, and it seemed at one time not improbable that the influence which the latter had acquired in Dir might be used to establish more friendly relations between that State and Kashmir. In 1890, however, Dir was conquered and occupied by Umra Khan, Chief of the neighbouring State of Jandol, and Muhammad Sharif Khan was obliged to take refuge in Swat. He made several attempts in the succeeding years to regain his country, but was unsuccessful.

In 1895, on the advance of the Chitral relief expedition, Muhammad Sharif Khan came in to the Political Officer and did good service by pushing on up the Panjkora line with his own forces, recovering Dir from Umra Khan's garrison, and pushing on a force into Chitral territory, which seized the Drosh fort. The Khan also rendered good service by capturing and handing over the Chitrali pretender, Sher Afzal.

At the conclusion of the expedition Muhammad Sharif Khan, now restored to his Khanship, entered into an Agreement (No. XCV), dated the 12th September 1895, with the Government of India, by which he undertook to keep open the Chitral road from Chakdarra to Ashreth, and in return received an allowance of Rs. 10,000 a year, and a similar sum in consideration of his freeing from tolls the trade between Chakdarra and Ashreth.

In June 1897 Muhammad Sharif Khan was granted the title of Nawab by the Government of India.

In February 1897 the Government of India decided that the crest of the Lowarai range was to be regarded as the boundary between Dir and Chitral. In 1898 an annual payment of Rs. 500 to the Nawab was sanctioned in this connection, as a very special concession, and act of favour. The Nawab however declined the offer. But, in 1900, he accepted a payment of Rs. 1,000 a year, as compensation for grazing and other rights enjoyed by Dir on the Chitral side of the Dir-Chitral boundary, and signed an Agreement (No. XCVI).



In the spring of 1897 the Khan of Dir annexed to his territories the tribes on the right bank of the upper Swat, who had till then been practically independent. In October 1898 the Nawab executed an Agreement (No. XCVII) with the Khan of Nawagai, defining the boundaries of their respective jurisdictions. In December of the same year he executed an Agreement (No. XCVIII) with the Government of India, defining the boundaries of his territories, and undertaking not to interfere with, or commit aggression on, any tribes beyond those boundaries.

The engagements made by Muhammad Sharif Khan with Government have on the whole been satisfactorily carried out. In the disturbances raised by the mad Fakir in 1897, the bulk of the Dir tribes, except those in the Swat valley, took no part, and when the Fakir attempted in November—December 1898 to attack the Chitral road, he was repulsed by Dir forces under Abdulla Khan of Robat. The river clans, the Azzi Khel, Jinki Khel, Nikpi Khel, Shamezais, and Sebuji then executed Agreements (No. XCIX) in December 1898 binding themselves to exclude the Fakir and enemies of the Government of India from their limits.

In March 1899 Muhammad Sharif Khan's subsidy was raised to Rs. 15,000 with effect from the 1st October 1898.

In March 1900 the Nawab visited Calcutta on the invitation of His Excellency the Viceroy. He was also present at the Viceregal Darbar held at Peshawar in April 1902. He attended the Coronation Darbar at Delhi held in January 1903, and was invested with the Order of a Companion of the Indian Empire. Muhammad Sharif Khan died in December 1904, and was succeeded by his eldest son, Badshah Khan (Aurangzeb Khan), in pursuance of his will, under the sanction of the Government of India.

On the 13th April 1905 Badshah Khan, having been recognized as Khan of Dir, executed an Agreement (No. C), renewing the agreement given by his father, and submitting to certain new conditions chiefly concerned with the Dir timber trade. The allowances enjoyed by his father, amounting to Rs. 26,000, have been continued to Badshah Khan, and he is bound to provide a sum of Rs. 5,000, which Government retains out of these allowances, for the support of his brother, Mian Gul Jan, on condition of the latter living in Peshawar, or, with the permission of Government, elsewhere out of Dir. As this condition has not been observed, the allowance has not been paid to Mian Gul Jan.

A great part of the Dir territory is divided into minor Khanates, which are held by relations of the Nawab, or by the heads of the main sections of the Malezai tribe.



## No. I.

PETITION AND AGREEMENT OF THE ALAHI JIRGA AT  
ABBOTTABAD, DATED 1ST JUNE 1875.

We, the undermentioned, have come in as a Jirga, called by the British Government, although we have never been in to Government before, and have never had any understanding with Government before.

We wish, however, for a peaceful solution, and bring forward the following points for acceptance :—

- 1st.—Regarding the list of offences said to have been committed by Alahi during past years, we only admit the attack on Mr. Scott's camp, and that attack was made by the Musa Khel. We know nothing about the other cases. We wish them passed over.
- 2nd.—We promise for the future on behalf of all Alahi that we will not commit any offence in British territory, and if any thefts take place, and Government sends us word, we will exact punishment.
- 3rd.—We sometimes have complaints against British subjects : we do not know anything of law and procedure, and hope that we may receive justice in some easy manner.
- 4th.—The claim of the Kohistanis for loss of property is exaggerated ; about 126 head were taken in the flock ; we offer Rs. 840, and hope this will be accepted by Government.

We cannot give blood-money, as we have a long score to settle with the Kohistanis on account of this item.

SIGNATURES and SEALS of THE ALAHI JIRGA (8 SWATIS, 11 Madda Khels, and 6 Gujars).

## No. II.

TRANSLATION OF AN AGREEMENT MADE BY THE WHOLE  
OF THE NANDAHAR JIRGA OF DADYAL, KHAN KHEL,  
PANJMIRAL, AND PANJGHOL SECTIONS, MADE AT OGH1 ON  
THE 14TH NOVEMBER 1888.

We, the whole Nandahar Jirga of Dadyal, Khan Khel, Panjmiral, and Panjghol sections, agree as follows, ourselves and on behalf of the other Maliks not present :—

*Firstly.*—We hold ourselves responsible and answerable for any offence committed by any member of our tribe or any residents of our country in British territory.



*Secondly.*—We, our tribe, and the residents of our country will not allow any member of any other tribes to pass through the limits of our country to commit any offence in British territory.

*Thirdly.*—We promise that the roads constructed by the British Government in our country in the present Expedition will be maintained uninjured by ourselves and our tribe.—*Dated Oghi, 14th November 1888.*

*(Here follow the signatures.)*

### NO. III.

TRANSLATION OF AN AGREEMENT MADE BY THE WHOLE OF THE TIKRI JIRGA OF ASHLOR, MALAKAL, AND NAROR SECTIONS, MADE AT Oghi ON THE 14TH NOVEMBER 1888.

We, the whole Tikri Jirga of Ashlor, Malakal, and Naror sections, agree as follows, ourselves and on behalf of the other Maliks, not present here—

*Firstly.*—We hold ourselves responsible and answerable for any offences committed by any member of our tribe or any residents of our country in British territory.

*Secondly.*—We, our tribe, and the residents of our country will not allow any member of any other tribes to pass through the limits of our country to commit any offence in British territory.

*Thirdly.*—We promise that the roads constructed by the British Government in our country in the present Expedition will be maintained uninjured by ourselves and our tribe.—*Dated Oghi, 14th November 1888.*

*(Here follow the signatures.)*

### NO. IV.

AGREEMENT ENTERED into by the KHUBBUL and KYAH branch of the UTMANZAI PATHANS and the SALAR TUPPAS of the TRANS-INDUS JYDOONS with the BRITISH GOVERNMENT,—1861.

1. We do hereby conjointly and severally pledge ourselves not to permit the Syuds, late of Sittanah, or the Hindustani fanatics and others associated with them, now at Mulkah, in the Amazy country and elsewhere, or any of them, or any other persons inimical to the British Government, or who have committed or intended to commit criminal acts against it, or any other persons except the members of the Utmanzai Pathans of Khubbul and Kyah



and their cultivators, to establish themselves at Sittanah or within the lands pertaining thereto, or anywhere within the limits of our settlements; and should they endeavour to do so, we will ourselves unite to prevent or expel them; and in the event of any of the parties to this Engagement acting in contravention of its terms, that party will alone bear the blame, provided that the remaining parties shall be bound in that case to treat it as an enemy, and to continue to the best of their ability to give effect to the provisions of this Agreement.

2. We will consider the friends of the British Government our friends and its enemies our enemies, and in the event of the Munsoor Tuppa of the trans-Indus Jydoons, which is not a party to this Agreement, continuing or becoming refractory, we will so far as the fulfilment of our present Engagement requires, hold ourselves aloof from it, and in such measures as the British Government may see fit to take we will render our assistance for the furtherance thereof against it, and will give to any force employed to punish it, a free road through our country.

3. Should any person residing within our settlements (including Mundee, Sittanah, and the lands pertaining thereto) enter the territory of the British Government and commit injury therein, we pledge ourselves to be responsible, and either to expel him from our country or to afford such redress as the said Government may demand. Further we will permit no person or persons from beyond our borders to pass through our settlements for the purpose of committing injury in British territory, or, having committed injury therein, to return through our settlements to his or their place of refuge or abode, and failing in this we will afford such redress as the British Government may demand. Provided that for every infringement of this Article of the Agreement each contracting tribe shall be held separately responsible.

4. We will not permit any person or persons conveying money, or arms, or ammunition, or aid of any kind whatever to the Hindustani fanatics, to pass through our settlements.

5. We will not harbour or render assistance to any fugitive, murderer, robber, or thief who has committed crime in British territory, nor will we permit him to come and abide within our settlements. Should he endeavour to do so, we will at once expel him. Provided that for every infringement of this Article, each tribe shall be held separately responsible, and shall afford such redress as may be demanded.

6. In the event of any British subject committing injury within our settlements, we will not make reprisals, but will claim redress in British Courts.

7. Provided that we shall not hereafter be entitled to claim exemption from the fulfilment of all or any of the terms of this Agreement on the ground of inability by reason of discord amongst ourselves; and that for all the purposes thereof, we shall be held responsible for the acts of all residents within our settlements, whether members of the contracting tribes or not.



*Additional Articles with the Utmanzai of Khubbul and Kyah.*

8. We will not permit any person to convey green salt from our settlements across the Indus into British territory, whether he be resident in our settlements or not.

9. Inasmuch as the Khubbul ferry of the Indus has been established and a boat placed thereon for our convenience and advantage by the British Government, we hereby declare that we hold it and enjoy the privilege of using it, subject to such conditions as the British Government may see fit to impose; and, further, we will permit no residents within our settlements or others to cross the Indus to British territory on Shurnaeis by night; and those only shall be permitted to cross on Shurnaeis by day, to whom permission to do so may be granted by the British authorities on the security of respectable Mullicks.

10. Inasmuch as we are permitted to hold free intercourse with British territory for trading and other purposes without payment of tax or duty, we hereby agree to relinquish all claim to tax and duty on merchandise of every description belonging to resident traders of British territory in its passage through our settlements, as also to all duties heretofore levied on timber floated down the Indus by British merchants; and in return for the protection we receive in British territory, we agree to afford protection, to the best of our ability, to all merchants and others from British territory trading with or through our country, and we will, to the best of our ability, prevent robbers or others from exacting blackmail or other imposts from them within our settlements.

11. We will ourselves, as the proprietors, hold the lands of Sittanah, and ourselves arrange for the cultivation and management thereof; and we will not give possession thereof, or of any part thereof, for purposes of cultivation or otherwise to the Syuds late of Sittanah, or to the Hindoostani fanatics, or to the followers of either.

*Executed by the Salar Tappa of Jydoons at Abbottabad, this twelfth day of September, One thousand Eight Hundred and sixty-one.*

*Executed by the Khubbul and Kyah branch of the Utmanzai Pathans at Abbottabad, this Seventeenth day of September, One thousand Eight Hundred and sixty-one.*

NO. V.

TRANSLATION of an AGREEMENT executed by the UTMANZAI TRIBE, on 6th January 1864.

We the undersigned Khavi Khan, Humeed, Peer Khan, Mauzullah, Azimullah, Reza, Muwaz, and Muhammad Khan, are the Mullicks and trustworthy men of the Ootmanzai tribes, and inhabitants of Khulkurdotcha.

Whereas on the second appearance of the Hindustanees and Moulvies in the territories of Sittanah and Mundee, a force of the British Government came and burnt down their houses; and whereas the Hindustanees being defeated by that force took to flight, we have now waited upon Major



Hugh James, Commissioner and Superintendent, Peshawur Division, at Bhoor in the ilaqa of the Yoosufzais, and do hereby enter into an agreement containing the following two articles:—

1st.—That we will not, until ordered by Government, allow any body to settle in and inhabit Mundee and Sittanah, nor will we suffer the Moulvies and Hindustanees to pass through our country, or to enable them to settle in those places a second time.

2nd.—That whenever Government sends for us, we will present ourselves without making any excuse.

We, being trustworthy persons, have executed this deed in the presence of the whole of our clan and with their permission and consent.

Bhoor. Ilaqa of the Yoosufzai, }      (*Here follow the signatures.*)  
6th January 1864. }

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No. VI.

TRANSLATION of an AGREEMENT executed by the AMAZAI  
CLAN on 11th January 1864.

As we the undersigned Mouza Khan, Atum Khan, Sher Khan, Akrum Khan, Akhtur Khan, and Khairoolah Khan of the Amazai clan have presented ourselves before the Sirkar, and Government wishes to take an agreement from us to the effect that we will never allow the seditious Hindustanees to remain in our country, we sincerely admit the propriety of entering into such agreement, and do hereby declare in writing that we will never at all suffer the Hindustanees to come into and remain in our country on any account whatever.

Dated 11th January 1864.

(*Here follow the signatures.*)

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No. VII.

TRANSLATION of an AGREEMENT executed by the HASSANZAI  
TRIBE on 22nd January 1864.

We the undersigned Iladad, Humeed Khan, Door Khan, Fusul Khan, Hashem Ali, Abdoollah Khan, Shah Muzut, Luteef Khan, Toora Khan, Jubbar Khan, Molenadar, Naubut, Ahmud Khan, Astaf, Shah Rabee, Zareef, Nejab, Mooja, Dad Sher, Miroolee, Ruhmut-oollah, Noor Syud Akhoondzadah, Syud Ajeeb, Bahadoor Shah, Muzzam Shah, Nizamuddeen, Hubeeb, Aluf Khan, Kadum Shah, Mauzoollah Khan, and Meezoo, are of the Hassanai tribe.



We, the Jirgas (of the Muda Khail) having presented ourselves before the Sirkar, do hereby, of our own accord, conformably to the wish of Government, make the following declarations:—

1st.—That we will never in any way allow the seditious Hindustanees to come and remain within the limits of our country.

2nd.—That we will, at all times, maintain relations of concord and peace with the family of Muhammad Akrum Khan and not deviate from this declaration.

3rd.—That as Kubool Khan Hussunzai has not appeared before Government in company with the Jirgah, we will now go back and try to move him to make his appearance. If he do so, well and good, otherwise we will not maintain any intercourse with him.

*(Here follow the signatures.)*

## NO. VIII.

### AGREEMENT MADE BY HASSANZAI JIRGA AT Oghi ON 9TH NOVEMBER 1888.

We the undersigned Maliks of the Hassanzai clan, representing all sections except the Khan Khel, for ourselves, for the Maliks who are absent and for our whole clan, declare and agree as follows:—

(1) In obedience to the orders of the British Government we have caused Hashim Ali Khan, Khan Khel, to release the British subject who remained in his hands, and we have paid the fine imposed upon us, *viz.*, Rs. 7,500, by surrendering cattle of that value.

(2) We agree to give up such Maliks as may be demanded to be kept by Government as hostages for our good behaviour during the pleasure of Government.

(3) We admit our responsibility for the behaviour of the Khan of the Khan Khel, whoever he may be, that is, we as a tribe are responsible to control the Khan whom we may elect as chief, and to prevent him from committing or instigating offences in British territory.

(4) The troops or servants or officials of the British Government are not to be molested if they march on the Black Mountain anywhere within British territory or along the crest of the mountain on the boundary between our country and the territory of the British Government.

(5) We bind ourselves not to injure any of the roads which the British Government has made within our country.

*(Here follow the signatures.)*



## No. IX.

TRANSLATION OF AGREEMENT MADE BY AKAZAI JIRGA ON  
THE 19TH OCTOBER 1888=5TH KATAK, SAMMAT 1945,  
AT KAIMGALLI.

We the headmen of the Akazai tribe have to-day before the Commissioner of Peshawar at Kaimgalli agreed to the following terms for ourselves and on behalf of the whole of the Akazai tribe :—

(1) We will pay the fine of Rs. 4,000 to the British Government on account of offences formerly committed by ourselves and our tenantry in British territory in cash or cattle. This fine will be paid by Friday, the 26th October 1888. We may, if we can, surrender to the Government some of the leading Gujars and Syads who were concerned in the attack upon Major Battye. For such surrender the illustrious Government will remit such portion of the above fine as they consider advisable.

(2) We the headmen of the Akazai tribe will surrender two Maliks from each section of our tribe as hostages to the Government. At present from amongst our deputation the following five Maliks, *viz.*, 1, Asim Khan, Painsa Khel; 2, Hazratulla Khan, Painsa Khel; 3, Alfu Khan, Tawsan Khel; 4, Gujar Khan, Barat Khel; 5, Nur Jamal, Aziz Khel, will remain as hostages with the Government. The remaining Maliks of our Jirga will go back to arrange for the collection of the fine which, after being realized, will be laid by a full Jirga before the British authorities, and at that time the Government will take according to their pleasure further hostages. These hostages will remain with the Government during the pleasure of the Government, that is to say, that they will remain with the Government until the Government is satisfied with the good behaviour of our tribe.

(3) We will try our best to recover all the arms or other property taken from Major Battye and Gurkha soldiers which may be found in our country or in the possession of our tribe or our tenantry, and will return it to the Government.

(4) We the leading men of the Akazai tribe bind ourselves on behalf of the whole tribe that in future we shall lay no claim to Shahtut, that we shall have no claim to the lands belonging to Shahtut, and we shall have no connection with them. No member of the Akazai tribe or any tenants of theirs will have claim to proprietary or agricultural rights in Shahtut lands. Further we agree on behalf of the whole of the Akazai tribe that whatever arrangements may be made by the British Government for the occupation or cultivation of the said lands, no Akazai will interfere with those arrangements.

(5) As troops will remain in our country until the above terms are fulfilled we the Akazai Jirga promise that none of the soldiers or other Government servants will be molested in any way by Akazai people or their tenants.



(6) Hereafter no Akazais or their tenants will build any kind of building or graze their cattle to the east of the waterflow line of the Black Mountain on the Agror side ("Hurda Pain"). We have no right of any kind in that part of the country and we will not interfere in any way with it.

(7) As our tribe is a branch or sub-section of the Isazai tribe and the Khan of Seri is the Chief of all the three sections of the Isazai tribe, we the Akazais, like our brethren the Hassanzais, hold ourselves responsible for the conduct of the Khan of the Khan Khels of Seri.

(8) We bind ourselves that in future troops or officials of the British Government are not to be molested if they march on the Black Mountain anywhere within British territory or along the crest of the mountain on the boundary between our country and the territory of the British Government. We will not interfere in any way, and if we think that any loss has been caused to us by such marching, we will apply to Deputy Commissioner in Abbottabad by petition.

P.S.—We have been allowed to pay the fine either in cash or in kind to the General Commanding the River Column on the bank of the Indus or to the General Commanding the troops at Karun in the Khan Khel country, and afterwards we will send a full Jirga of our tribe to the Commissioner of the Peshawar Division at Oghi.

P.S.—Dad Khan will remain a hostage *vice* Alfu Khan, and Hassan Khan *vice* Gujar Khan.

*(Here follow the signatures.)*

#### NO. X.

#### AGREEMENT MADE BY THE HASANZAI AND AKAZAI WITH THE BRITISH GOVERNMENT AT SERI, DATED 29TH MAY 1891:

We, the Maliks of the Hasanazai and Akazai clans, for ourselves and for our fellow-clansmen who have deputed us to represent them, hereby promise and agree as follows:—

(1) We admit and understand that the British Government demands the surrender of Hashim Ali Khan. We are unable at present to give him up because he fled from our territories before this expedition, and has been and now is in the country of other independent clans. We bind ourselves never to permit Hashim Ali Khan, or Sikandar Khan his brother, or Sheikh Ata Muhammad his uncle, or Turrabaz Khan, son of Sheikh Ata Muhammad, to settle in or return to our country. We also promise that if they or any of them come into our power, we will arrest and make them or him over to Government.



(2) Each clan agrees within its own boundary to arrange for the protection of any road which Government may make along the crest of the Black Mountain on its own border or within its territory and near our borders while such roads are in construction.

(3) We agree to protect and preserve from injury roads which have been made inside our territory.

(4) If at any time Government should wish its troops to march along its frontier on our border on the Black Mountain our jirgas will attend to accompany the troops or officials of Government in a friendly and peaceful manner. Further, as British territory is open to us and as we are permitted to travel and trade in it without molestation, our country is equally open to the subjects, servants and officials of Government.

If Government should send any official to visit our country, provided due notice is given to us in order that our jirga may take the precautions necessary owing to the state of our society, each clan will be responsible for his safety within its own limits, will furnish escort and arrange for his safety and comfort.

(5) We will not permit any of the Hindustani fanatics or their followers to settle in our country.

(6) If any of our clansmen or of our dependents or tenants dwelling in our country commit an offence in British territory, we will be responsible to make satisfaction by restoring persons kidnapped, or property stolen, or its value, or by payment of blood-money. And we agree if such cases occur to send in representatives to settle the case by jirga according to the custom of the country.

And as our clansmen if injured in British territory get redress and justice, so we will be responsible for injuries to British subjects travelling in our country. If any of our clansmen have a claim against a British subject or against any one dwelling in British territory, he will seek satisfaction by preferring a petition to the Deputy Commissioner of Hazara, in order that the matter may be settled by law, or if possible by jirga and in accordance with the usage of the country. None of our clansmen shall arrest any British subject or detain the property of any British subject by way of "birampta" or in satisfaction of any claim for debt or damage, but all such claims shall be referred to the Deputy Commissioner for settlement.

(7) We recognise and admit that the private estate of Hashim Ali Khan and his family named above is confiscated and the Government may make it over to any Khan Khel it please, or to the clan on payment of tribute.

(8) We understand and recognise that as we are responsible for the conduct of our nominal Chief, the Khan of Seri, we may elect any Khan we please excluding Hashim Ali Khan, Sikandar Khan, Sheikh Ata Muhammad and Turrabaz and any person known to be hostile to Government. If we prefer we may refrain from appointing any one Khan.



## No. XI.

## AGREEMENT MADE BY THE MADA KHEL WITH THE BRITISH GOVERNMENT, DATED SERI, 3RD JUNE 1891.

We Maliks of the Mada Khel clan have heard the terms of the agreement made by the Hasanzai and Akazi with the British Government and agree to and approve of them. For ourselves and for our fellow clansmen who have deputed us to represent them we promise to do all we can to secure the fulfilment of that agreement. And we specially promise and agree as follows :—

1. We admit and understand that the British Government demands the surrender of Hashim Ali Khan. We are at present unable to give him up because he is now in the country of other independent clans.

We bind ourselves never to permit Hashim Ali Khan, or Sikandar Khan, his brother, or Sheikh Ata Muhammad, his uncle, or Turrabaz Khan, son of Sheikh Ata Muhammad, to return to or settle in our country.

We also promise that if they or any of them come into our power we will arrest and make them over to Government.

2. We will not permit any of the Hindustani fanatics or their followers to settle in our country.

3. If any of our clansmen or of our dependants or tenants dwelling in our country commit an offence in British territory, we will be responsible to make satisfaction by restoring persons kidnapped, or property stolen, or its value, or by payment of blood-money, and we agree if such cases occur to send in representatives to settle the case by jirga according to the custom of the country. And as our clansmen if injured in British territory get redress and justice, so we will be responsible for injuries to British subjects travelling in our country. If any of our clansmen have a claim against a British subject or against any one dwelling in British territory, he will seek satisfaction by preferring a petition to the Deputy Commissioner of Hazara in order that the matter may be settled by law, or if possible by jirga and in accordance with the usage of the country. None of our clansmen shall arrest any British subject or detain the property of any British subject by way of "birampta" or in satisfaction of any claim for debt or damages, but all such claims shall be referred to the Deputy Commissioner for settlement.

4. We recognise and admit that the private estate of Hashim Ali Khan and his family named above is confiscated and the Government may make it over to any Khan Khel it please, or to the clan on payment of tribute.

5. We understand and recognise that as we are responsible for the conduct of our nominal Chief, the Khan of Seri, we may elect any Khan we please, excluding Hashim Ali Khan, Sikandar Khan, Sheikh Ata Muhammad and Turrabaz Khan and any person known to be hostile to Government. If we prefer we may refrain from appointing any one Khan.



## No. XII.

## AGREEMENT MADE by the SAIYIDS AND CHAGHARZAI of PHARARI with the BRITISH GOVERNMENT, DATED OGHI, 12th JUNE 1891.

We Saiyids and headmen of the Pharari Ilaqua hereby agree and promise :—

(1) That we will never permit Hashim Ali Khan, Sikandar Khan, Sheikh Ata Muhammad, or Turrabaz, Khan Khel, who have been prescribed from the territories of the Hasanzai, Akazai, and Mada Khel, to settle or stay in our country.

(2) If Government should make a road on its border along the crest of the ridge from Chittabut by Mana-ka-Danna towards the Jal pass, we will arrange for its protection within our limits while under construction.

(3) If at any time Government should wish its troops or servants to march along its frontier in our neighbourhood, our jirga will attend to escort the troops or officials on our border and to do becoming service in a peaceful, friendly way. Further, just as British territory is open to us and as we are permitted to travel and trade in it without molestation, our country is equally open to the subjects, servants and officials of Government.

If Government should send any official to visit our country, provided due notice is given to us in order that our jirga may take the precautions necessary owing to the state of our society, we will do our best to provide for his safety within our limits, will furnish escorts and arrange for his safety and comfort.

(4) If any of our clansmen or of our dependants or tenants dwelling in our country commit an offence in British territory, we will be responsible to make satisfaction by restoring persons kidnapped, or property stolen, or its value, or by payment of blood-money, and we agree if such cases occur to send in representatives to settle the case by jirga according to the custom of the country.

And as our clansmen if injured in British territory get redress, so we will be responsible for injuries to British subjects travelling in our country. If any of our clansmen have a claim against a British subject or against any one dwelling in British territory, we will seek satisfaction by preferring a petition to the Deputy Commissioner of Hazara in order that the matter may be settled by law, or if possible by jirga and in accordance with the usage of the country.

None of our clansmen shall arrest any British subject or detain the property of any British subject by way of "birampta" or in satisfaction of any claim for debt or damages, but all such claims shall be referred to the Deputy Commissioner for settlement.

(5) We will do all we can to secure the maintenance of the arrangements now made by Government with the other Black Mountain tribes, and we



bind ourselves not to help or harbour or encourage any who may seek to give offence or interfere with those arrangements or disturb the peace of the border.

(6) We will not permit any of the Hindustani fanatics or their followers to settle in our country.

### NO. XIII.

#### MEMORANDUM.

The Bonair Jirgah have unreservedly submitted to the Government, and consented to carry out the following requirements:—

1. To dismiss the army of all kinds on the Bonair pass.
2. To send a force to destroy Mulkah completely.
3. To expel the Hindoostanees from the Bonair, Chumbla, and Amazai lands.
4. To give as hostages the whole of their chief men till the above requirements are fully carried out.

### NO. XIV.

#### PROCEEDINGS of COLONEL MACKESON, Commissioner of Peshawur, in the matter of the re-settlement of RANEZAI.

Whereas the Khans of the Ranezai have this day come to me and solicited pardon of their past offences, and to be allowed to re-settle in their country on the following conditions:—

1. If the Government require them to pay revenue, they will do so.
2. If the Government desire to build a fort in Ranezai, they are at liberty to do so.
3. If they are left by the Government to re-settle of themselves, they will do so.
4. The Khans agree that they will always be ready to do service for the Government, and will not receive into their country any person evil-disposed to the Government, nor give such person a road through their country.
5. If an army comes against them too strong for them to cope with they will come with their families into British territory.

On hearing these offers the Khans were informed that the British Government had no desire to extend its territories, nor to take revenue from Ranezai, but that it was incumbent on the said Government to protect its own borders from any aggression from Ranezai or elsewhere, in order that



its subjects might remain in security and in the peaceful discharge of their several occupations; if any such aggression is attempted, it must be punished.

The Khans of Ranezai are hereby allowed peacefully to re-settle in their villages, and nobody will interfere with them. If in any way they commit a breach of their promises, notice will not be given to them as before, but a British force will be set to capture and punish them.

### No. XV.

#### AGREEMENT with the KHANS, KHAN KHELs and RANIZAIS (GHAR and SAM), dated 12th September 1895.

We, who are the Khans, Khan Khels of Thana and the Khans and Maliks of Aladand, Deri, Bat Khela, Khar, Deri, Jawalgiram, Tatakan and Matakharai of the district of Bar (*i.e.*, Ghar) Ranizai; and the Maliks of Dargai, Sakhakot, Harkai, Usmani Khel, Garai, Wartar, Dobandi, Khan Garai, Mardi, Harushah, Kadam Khela, *i.e.*, the whole district of Sam Ranizai, do hereby agree in a perfectly sane state of mind, and with our free will and consent that we will thoroughly protect the road which the Government are making from Peshawar to Chitral; and that we are responsible for the portion of the road which is within our limits. That we will duly protect any British troops or provisions, etc., which should pass through our limits; and further we will protect all the merchants and others; and that we will charge no duty on anything; neither the people, who used to charge duty, nor other people shall do so. In lieu of the duty the Government may give us whatever they may consider proper as compensation.

2. That we have submitted a petition soliciting that the British troops should remain to help us in protecting the road. We agree with our free will and consent, in accordance with what we have written in our petition, that we will give to Government whatever land may be required for the erection of forts and posts; that we will keep supplies of fuel, grass, straw, etc., at each post; and that we will supply whatever provisions we may have in our country, in accordance with the current rate of prices.

3. We agree, with our free will and consent, that we will furnish armed men and sows which the Government may require for the protection of the road which is within our limits, and that the above men will be given suitable pay by the Government.

4. We agree that, in the event of the British officers coming to our country for the purpose of sport, etc., we will duly protect them and render aid to them.

Further, that the Government will give us compensation for the land which they may take for forts, posts, etc.

*(Here follow the signatures.)*



### No. XVI.

TRANSLATION of Agreement, dated 12th September 1895, executed by the KHANS AND KHAN KHELS OF SWAT.

Whereas the British Government desires to keep open the Malakand, Shahkote, Morah, Cherat and Swat roads for trade, and to keep the trade free from tolls, and whereas the Government grant us an annual allowance of Rs. 10,000 in lieu of our rights to tolls, we, Inayat-ulla Khan and Aslam Khan, Khans of Thana; Sharif Khan and Saadat Khan, Khans of Alladand; and Sarbuland Khan of Palli, on behalf of ourselves and our successors, do hereby declare that, in consideration of the sum of Rs. 10,000 per annum, we have sold all tolls on the above passes and in our country; that we will not in future collect any tolls on the above passes nor in our territory from traders; that all traders and trades, animals, etc., are exempted from tolls, and that we will not interfere with them. That this agreement shall have effect from 1st October 1895, and the first instalment of Rs. 5,000 will be due by Government on 1st April 1896, and that the half-yearly instalments in future will be due in the spring and autumn of every year by the Government of India. Further that we will divide the above sum of Rs. 10,000 among the rightful persons in proportion to *daftar* (hereditary shares in land) owned by each person.

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### No. XVII.

TRANSLATION of the Agreement of the representatives of JIRGAS of UPPER SWAT, dated the 22nd August 1897.

We, the representatives of the tribes of Musa Khel, Aba Khel, Barat Khel, Aka Khel, Maruf Khel, Bami Khel, Bahlol, Ala Khel, Azi Khel and Jinki, do hereby express our unconditional submission to the British Government and agree to carry out any orders which Government may give us or to anything which Government may impose upon us without demur and excuse. Dated 22nd Rabi-ul-awal, corresponding with 22nd August 1897. Signed and sealed by representatives of the above tribes, namely, Kalo Khan, Husan Khan, Zarif Khan, Agar Malik, Feroze Khan, Hafiz Saloo Khan, Abbas Khan, Moula Khan, Mozam, Salo Khan, Mir Aslam Khan, Jamdad Khan, Mir Azam Khan, Nabbi Khan, Mirdad Khan, Hamid Khan, Ahmad Khan, Yakub Khan, Feroze Khan, Ghulam Sarwar, Abdul Husan Khan, Bahadu, Shah and Mehtab Khan, etc.

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### No. XVIII.

AGREEMENT entered into by the MUNSOOR TUPPA of the TRANS-INDUS JYDOONS with the BRITISH GOVERNMENT,—1861.

Whereas the Khubbul and Kyah branch of the Ootmanzai tribe and the Salar Tuppa of the trans-Indus Jydoons on the 12th September 1861, and



the 17th September 1861, respectively, entered into an Agreement with the British Government, the terms of which have at this time been read and fully explained to us by Major Adams, Deputy Commissioner of Hazara; we do hereby, on behalf of the whole Munsoor Tuppa, agree to hold ourselves and our tribe bound by the terms of the said agreement, as set forth in articles numbered 1, 3, 4, 5, 6, and 7, in the same manner, and to the same extent, as the Salar Tuppa of Jydoons; and with reference to the Article numbered 2, not included in the above enumeration, we, considering the friends of the Government our friends, and their enemies our enemies, do hereby pledge ourselves, that in the event of any Tuppa or faction of any of the contracting tribes infringing the provisions of the Agreement, and becoming refractory, we will, so far as the fulfilment of our Engagement requires, hold ourselves aloof from it, and in such measures as the British authorities may see fit to take, we will render our assistance for the furtherance thereof against the said Tuppa, or faction, and will give to any force employed for its coercion a free road through our country.

Further, for the fulfilment of all the conditions of this Engagement, we agree to be responsible for the villages of Chunnee held by Akhoon Khel, and Gobaie and Gobasurie held by Syuds, seeing that they are subject to our influence and unable to act in the matters to which this agreement has reference except with our aid and concurrence.

*Executed at Abbottabad this second day of October 1861.*

## NO. XIX.

### TRANSLATION of an AGREEMENT executed by the SALAR CLAN of the JUDOON tribe,—1864.

We the undersigned Mauzzam Khan, Kurum, Jehangeer, Meerbaz, Khancee, Shahbaz, Nooroollah, Abeed, and Humzah Khan are the Mullicks and trustworthy men of the Salar clan of the Judoon tribe.

Whereas on the 2nd appearance of the Hindustanees and Moulvies in the territories of Sittana and Mundee, a force of the British Government came and burnt down their houses; and whereas the Hindustanees having been defeated by that force took to flight, we have now waited upon Major Hugh James, Commissioner and Superintendent, Peshawur Division, at Bhoor, in the ilaqa of the Yoosufzais, and do thereby enter into an agreement containing the following two articles:—

*1st.*—That we will not, until ordered by Government, allow anybody to settle in and inhabit Mundee and Sittana, nor will we suffer the Moulvies and Hindoostanees to pass through our country, or to enable them to settle in those places a second time.

*2nd.*—That whenever Government sends for us we will present ourselves without any excuse.



We, being trustworthy persons faithful, have executed this deed in the presence of the whole of our clan and with their permission and consent.

GOOZAR BHOOR in the ILAQA }  
of the YOOSUFZAIS, } *(Here follow the signatures.)*  
6th January 1864.

### No. XX.

TRANSLATION of an AGREEMENT executed by the  
MUNSOOR clan of the JUDOON tribe on 6th January,—1864.

We (the undersigned) Mullik Isau Khan, Gholam Shah, Futteh Khan Jumal, Sudder, Hoosee, Faizullah, Kaloo, Abbas, Salardeen, Poordil, and Jumal (2nd), are of the Munsoor class of the Judoon tribe.

Whereas on the second appearance of the Hindoostanees and Moulvees in the territories of Sittana and Mundee, a force of the British Government came and burnt down their houses, and whereas the Hindoostanees being defeated by that force took to flight, we have now waited upon Major Hugh James, Commissioner and Superintendent, Peshawur Division, at Bhoor, in the ilaqa of the Yoosufzais, and do hereby enter into an agreement containing the following two articles:—

1st.—That we will not, until ordered by Government, allow anybody to settle in and inhabit Mendee and Sittana, nor will we suffer the Moulvees and Hindoostanees to pass through our country, or to enable them to settle in those places a second time.

2nd.—That whenever Government sends for us, we will present ourselves without any excuse.

We being trustworthy persons have executed this Deed in the presence of the whole of our clan and with their permission and consent.

GOOZUR BHOOR in the ILAQA }  
of the YOOSUFZAIS, } *(Here follow the signatures.)*  
6th January 1864.

### No. XXI.

TRANSLATION of an AGREEMENT executed by the MADA KHAİL  
CLAN on 9th January,—1864.

As we the undersigned Syud Kulam, Syud Azum, Shahdad Khan, Sirferaz Khan, Tooree Khan, Mujahut Khan, Ahmud Ali Khan, Humzah



Khan, Ali Khan, Adum Khan, Syud Jelal, Panee, Shahzad, Amanoollah, Alum Khan, Muhammad Ali Ashruf Khan, Mauzzum, Ameer Shah, Nejab, Kootoob Shah, Sher Ali, Jumal Khan, Dewan Shah, Futteh Khan, Muhebullah, and the whole of the Muda Khail Jirgah have presented ourselves before the Sirkar, and since Government requires from us an agreement containing two articles, the first to the effect that we will never allow the seditious Hindustanees to remain in our country and the second, that we will firmly maintain the relations of unanimity and harmony with the family of Muhammad Akrum Khan, we openly and sincerely admit the expediency of executing such agreement, and do hereby declare in writing that we will not at all suffer the seditious Hindustanees to remain in our country; and secondly, that we will maintain the bonds of union and amity with the family of Muhammad Akrum Khan, Chief of Abat, and not deviate from this declaration.

DURBUND,  
9th January 1864.

*(Here follow the signatures.)*

Seal of Shah- dad Khan, Jemadar.
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## No. XXII.

### AGREEMENT of the HALEEMZAI CLAN of the MOMUND TRIBE, —1852.

Ahmud Shere, Noor Gool, Mokurram Huboo, Raheemdad, and seven other Mulliks of the Haleemzai tribe engage to pay a yearly tribute of two hundred Rupees and promise obedience and service to Government, and if any fault be proved against them, they hold themselves liable to punishment. They consider the friends of the Government to be their friends, and the Government enemies their foes. To which purpose they have executed this Agreement on 12th July 1852.

## No. XXIII.

TRANSLATION of a JAGIR SANAD for MUHAMMAD AKBAR KHAN, MOHMAND, son of NAUROZ KHAN, the late KHAN of LALPURA, dated 12th January 1880=29th MUHARRAM 1297 HJRI.

Under the authority of His Excellency the Viceroy and Governor-General of India, all the jagirs and allowances, together with the Chiefship (*Khani*)



of Lalpura, are hereby conferred by the Hon'ble the Lieutenant-Governor of the Punjab on Muhammad Akbar Khan, Mohmand, on condition of his loyalty and good service to the British Government.

#### NO. XXIV.

#### TRANSLATION of an AGREEMENT executed by the MUSA KHEL MOHMANDS of MITAI on the 1st November 1902.

We, the Musa Khel elders of Mitai, in person and on behalf of our tribe, do hereby declare that as the British Government have very kindly granted (the tribe) an allowance of Rs. 2,250 and Rs. 1,125 for lungis to representative Malikis, we agree to abide by the following conditions:—

- (1) We and our tribe will maintain friendly relations with the British Government.
- (2) We and our tribe will maintain friendly relations with the Khan of Nawagai.
- (3) We will be responsible for unlawful actions of outlaws (from British territory), bad characters and "hamsayas" (tenants) of our tribe against Government or against the Khan of Nawagai.

We have executed the above agreement, in order that it may serve as an authority.

Dated 1st November 1902=29 Rajab 1320 Hijri.

*(Here follow the signatures.)*

#### NO. XXV.

#### AGREEMENT with the TARAKZAI MOHMANDS on the PESHAWAR BORDER,—1904.

We are the Jagirdars and the "Nawajib Khors" of the Sirkar. In return of the grant of an annual allowance of Rs. 1,000 to us for the protection of the new Michni Canal we do hereby agree—

1. That we will have no objection in taking upon us the responsibility of protecting the new Michni Canal.
2. That we will be responsible to distribute this allowance among our whole clan according to their shares and so that they shall raise no objection to the distribution.
3. That the British Government is at liberty to impose any penalty upon us whenever any person of our clan is proved to have committed any offence in connection with this Canal.

*(Here follow the signatures)*



No. XXVI.

TRANSLATION of AGREEMENT given by the TARAKZAI  
MOHMANDS.

We, the Maliks of the Tarakzai tribe, undertake hereby on behalf of all the members of our tribe full responsibility for protection of the Kabul River Railway which Government is now constructing from all attacks from the left Bank of the Kabul River, and similarly for the protection of all works connected with the Railway and for the safety of the river if used for transport, etc., in return for the increase of Rs. 5,000 per annum to our allowances, and this responsibility shall extend from Warsak to the extreme limit of Tarakzai country. It shall be open at any time to Government to cancel or revise this arrangement if in their opinion it is unsatisfactory.

PESHAWAR,

18th December 1905.

*(Here follow the signatures.)*

No. XXVII.

AGREEMENT with the CHIEFS of the KOOKI KHAIL TRIBE of  
AFREEDEES,—1857.

Whereas our tribe has been excluded from British territory, on account of the murder of a British officer, and we are unable to produce the murderers who have fled, we agree to pay a fine of Rupees three thousand on account of that crime, and we further voluntarily engage as follows:—

1. We will not hereafter commit any crime in British territory.
2. We will not bring with us into British territory any member of a tribe in hostility with the Government.
3. If any thief or murderer belonging to our tribe be apprehended in British territory, we will not intercede for him.
4. If such thief or murderer escape to us, and the crime is proved, we will destroy his house and banish him from our settlements, restoring the value of the stolen property; if there is no evidence against him, the accused may clear himself, if five members of his section of the tribe will swear to his innocence.
5. If any married or unmarried woman elopes to our settlements, we cannot give her up, but we will restore any property she may be proved to have carried off with her. If her friends come and make an arrangement, we will give her up to them, or to a "jirgah" of grey beards.
6. If any thief or person in the service of Government escape from British territory into our settlements, we will eject him from the same, and if he has stolen property with him, we will restore it.



7. If we have a money claim against any British subject, we will sue him in the Courts in proper form; we will also attend to answer any such claim against us or produce the acquittance bond of such claimant; we will not carry out our usage of reprisals in British territory, but in our own settlements we are at liberty to do so; and we will not take part with any other tribe in hostilities against the British Government.

8. Whenever required to do so, we will keep a representative with the Local Officers of Government, who are at liberty to call him to account in matter of neglect.

9. Whereas there are many Afreedees in the service of Government, if any of them have a claim against us, the matter shall be settled by a "jirgah" of grey beards.

10. We give Arbab Mahomed Ameer Khan and Arbab Abdool Mujeed Khan as our securities for the payment of the fine and the fulfilment of these Engagements, and in consideration thereof the Government will release the persons and property of our tribe now in their hands.

*Signed on 14th August 1857.*

#### NO. XXVIII.

#### AGREEMENT of the MULLIKS of the SIPAH and KUMMORAI TRIBES,—1861.

We agree on our own parts, and in behalf of our respective tribes of our own free will and accord as follows:—

1. During the six months of the cold weather, when we reside in the lands called Kajooree, we will be responsible that no theft or crime is committed on any British subject by any member of our tribes, or by any member of the Zakha Khail or other tribes passing through the said lands of Kajooree.

2. So long as the Zakha Khail may remain at feud with the Government, we will not allow members of that tribe to take up their residence in the Kajooree Settlements.

3. We are responsible that the tribes of Mullikdeen Khail and Kumber Khail shall send their representatives to the Government authorities on their return from their summer settlements.

*Dated 24th April 1861.*

#### NO. XXIX.

#### AGREEMENT executed by BOSTAN KHAN of the ZAKHA KHEL TRIBE,—1857.

Bostan Khan, of the Zakha Khel tribe, presents himself before Colonel Edwardes on the 13th August 1857, and on his own proper part, and as



representative of the whole council of the Pakhai, Zaodin, and Shan Khel sections, of his own free will and pleasure promiseth—

*1st.*—We pledge ourselves to commit no depredations or other misdeeds on the British border.

*2nd.*—We will not allow any men of tribes obnoxious to the British Government to accompany us into British territory.

*3rd.*—If any thief or plunderer of our tribe be apprehended in British territory, we will offer no intercession for him.

*4th.*—If any thief or plunderer come within our limits, and he be found guilty of the crime, we will at once expatriate him from his house and seize his lands, and fine him according to Afghan usage, and in case of theft, restore the amount of the property he has stolen.

To establish his guilt, one witness, besides the injured party, is required, or the discovery of the stolen property on the offender. Failing these, oath on Koran will be taken from five members of the offender's tribe.

*5th.*—Reparation is not to be made in the event of any person of the tribe abducting the wife or daughter of a resident of British territory, but if he should have brought off any property also, that shall be restored; if the parties deny that any property has been abstracted, an oath on the Koran shall be administered to them. If the parties shall become reconciled among themselves, they shall be allowed to return to their homes, the apology of the offending party shall be sufficient. If the woman shall have fled of her own accord, a council of grey beards of the tribe shall obtain guarantee for the safety of her person and restore her to her home.

*6th.*—If any thief or servant of the British Government shall come into our territory, we will eject him and restore any property belonging to Government or its subjects which may be found on him.

*7th.*—If we should have any claim or suit in matters within the jurisdiction of the British Government, we will plead our case according to the regulations of the Government, and we will render at the Government Court any person of our tribe against whom claims may have been instituted, or satisfy the complaining party in the Council of the tribe, and will not show hostility to any who may be on good terms with the British Government; against others (we will exercise our own discretion?); we will not associate with any enemies of the British Government.

*8th.*—An accredited agent of the tribe shall be in attendance whenever summoned by the Government, who shall be prompt to perform whatever is required of him. If he shall be negligent in the performance of his duties, it shall rest with the Government to demand satisfaction from him; he shall have no excuse.

It is hoped that, on ratification of this agreement, those of our tribe who are confined under the orders of the British Government may be released; we pledge ourselves to observe the terms of the agreement, and hope that former offences may be overlooked. We offer Mula Isa, Khan Khel, as guarantee for our observance of this agreement, and pledge ourselves that



if there be any misdeed on the part of any of the tribe above noted, we will not attempt to screen him; and if any concealment be attempted on the fact being proved, we will pay a fine of Rupees 1,000.

Again, if any of our portion of the tribe commit an offence, and on our demanding satisfaction from him if he shall remove to Bostan Khan's section of the tribe, it is right that Bostan Khan should not protect him until satisfaction has been rendered, and if any of Bostan Khan's party shall commit offences against the Government and remove to our section of the tribe, we will not give him countenance or assistance so as to prevent Bostan Khan from obtaining satisfaction from him. If there be any shortcomings on our part in this agreement, we are deserving of reproof from the Government, as also is Bostan Khan.

Witnessed by—

MAHOMED AMIR KHAN.

ABDUL MAJID KHAN.

GHOLAM KADIR.

Executed by—

BOSTAN KHAN.

#### ORDER on the above AGREEMENT by COLONEL EDWARDES.

Bostan Khan, of the Zakha Khel, having presented himself through Shahzadah Jambur, and taken upon himself to engage that no member of the Zakha Khel tribe under his influence shall be guilty of malpractices in British territory, and that he will undertake that in three or four days Malik Aladad Khan, the other Chief of the tribe, shall come in and make arrangement regarding his portion of the clan, and as heretofore there has been enmity between the Government and the Zakha Khel, and the Zakha Khel have not been allowed access to the British territory,—now that Bostan Khan has solicited in the agreement he has executed, that ingress and egress may be allowed to the tribe, and that four persons of the tribe, named Nasir Shah, Mir Gul, Amir Shah, and Rahmat, may be released, the four persons are released on payment of Rupees 10 fine each, and, as it is hoped that after three or four days Aladad Khan will bind himself by a similar agreement on the part of his tribe to that of Bostan Khan now executed, free ingress into British territory is to be allowed to Bostan Khan's branch of the tribe, and it is ordered that a copy of this, with a copy of the agreement, and a copy of the security bond of Malik Isa Khan providing that the Government entertain friendly relations with the Zakha Khel, and that the tribe are to be allowed free access to British territory, be sent for the information of the Deputy Commissioner of Peshawar.

*Written on 15th August 1857.*



RATIFICATION of AGREEMENT by MALIK ISA KHAN, of  
SARBAND, in the KHALIL SUB-DIVISION.

I pledge myself, of my own free will and accord, that the engagements made by Bostan Khan on his own part, and in behalf of the Zakha Khel tribe, shall be observed. If there be any infraction thereof, I am responsible for the same, and in my security bond to that effect, and also that if there be any offence committed by persons of the tribes named in Bostan Khan's agreement, and Bostan Khan should attempt to screen the offenders, I will, on proof of the same, pay fine of Rupees 1,000.

Witnessed by—

ABDUL MAJID.

MAHAMAD AMIR KHALIL.

13th August 1857.

Executed by—

ISA KHAN.

No. XXX.

AGREEMENT of ALADAD KHAN,—1857.

1st.—We pledge ourselves to commit no depredations or other misdeeds on the British border.

2nd.—We will not allow any men of tribes obnoxious to the British Government to accompany us into British territory.

3rd.—If any thief or murderer of our tribe be apprehended in British territory, we will offer no intercession for him.

4th.—If any thief or murderer come within our limits, and he be found guilty of the crime, we will at once expatriate him from his house, and seize his lands and fine him according to Afghan usage, and in case of theft, restore the amount of the property he has stolen. To establish his guilt, one witness besides the injured party is required, or the discovery of the stolen property on the offender. Failing these, oath on Koran will be taken from five members of the offender's tribe.

5th.—Reparation is not to be made in the event of any person of the tribe abducting the wife or daughter of a resident of British territory, but if he should have brought off any property also, that shall be restored; if the parties deny that any property has been abstracted, an oath on the Koran shall be administered to them.

If the parties shall become reconciled among themselves, they shall be allowed to return to their homes, the apology of the offending party shall be sufficient.



If the woman shall have fled of her own accord, a council of grey-beards of the tribe shall obtain guarantee for the safety of her person and restore her to her home.

6th.—If any thief or servant shall come into our territory, we will eject him and restore any property belonging to Government or its subjects which may be found on him.

7th.—If we should have any claim or suit in matters within the jurisdiction of the British Government, we will plead our case according to the regulations of the Government, and we will render at the Government Court any person of our tribe against whom claims may have been instituted, or satisfy the complaining party in the council of the tribe, and will not show hostility to any who may be on good terms with the British Government. Against others we will exercise our own discretion; we will not associate with any enemies of the British Government.

8th.—An accredited agent of the tribe shall be in attendance whenever summoned on the Government, who shall be prompt to perform whatever is required of him. If he shall be negligent in the performance of his duties, it shall rest with the Government to demand satisfaction from him; he shall have no excuse.

It is hoped that on satisfaction of this agreement those of our tribe who are confined under the orders of the British Government may be released.

We pledge ourselves to observe the terms of the agreement, and hope that former offences may be overlooked. We offer Abdul Majid Khan Arbad as guarantee for our observance of this agreement, and pledge ourselves that if there be any misdeed on the part of any of the tribe above-noted, we will not attempt to screen him, and if any concealment be attempted, on the fact being proved, we will pay a fine of Rupees 1,000.

Again, if any of our portion of the tribe commit an offence, and, on our demanding satisfaction from him, if he shall remove to Bostan Khan's section of the tribe, it is right that Bostan Khan should not protect him until satisfaction has been rendered, and if any of Bostan Khan's party shall commit offences against the Government and remove to our section of the tribe, we will not give him countenance or assistance, so as to prevent Bostan Khan from obtaining satisfaction from him. If there be any shortcomings on our part in this agreement, we are deserving of reproof from the Government, as also is Bostan Khan.

(Witnessed by)—

ARBAB MAHOMED AMIR KHAN AND  
SYAD AYAZUDIN.

(Signed by)—

SYAD GHOLAM, son of  
ALADAD, ARBAB  
ABDUL MAJID KHAN.

24th August 1857.



No. XXXI.

AGREEMENT entered into by the ZAKHA KHEL, MALIKDIN KHEL, KAMBAR KHEL, KAMRAI KHEL, SIPAH KHEL, and KUKI KHEL AFRIDIS, and the SHINWARIS of LANDI KOTAL accepting responsibility for the KHAIBAR PASS, dated February 1881.

We agree as follows :—

1.—On the understanding that the British Government maintain political relations with us, while at the same time our independence continue to be fully recognized, we are bound to exclude all other influence, and not to admit the interference of any other power between ourselves and the British Government.

2.—In consideration of receiving certain allowances, the amount of which Government has engaged to fix, we hereby undertake the responsibility of preserving order and security of life and property within the Khaibar Pass.

3.—All matters affecting the pass arrangements, and especially the security of the road, shall be submitted to a combined council of all the Afridi tribes.

Through this council arrangements will be made such as will provide for the security of the lives and property of all who use the Khaibar road without distinction of class or race, local being entitled to equal protection with foreign traffic; and care will be taken that no inter-tribal or personal feuds are pursued on or near the road or posts.

4.—No traders or travellers will be allowed to enter the pass without an order authorizing them to proceed, which will be furnished by the persons responsible together with a sufficient guard for protection.

Should any prospect of danger present itself, owing to the existence or likelihood of any disturbance on or near the road, we will be responsible for closing the pass, giving notice to that effect to the Khan of Lalpura and to the Political Officer at Jamrud, and will further make due provision for the safety of any trade or travellers within the pass.

5.—Our responsibility for the security of the road is independent of aid from Government in the form of troops. It lies with the discretion of Government to retain its troops within the pass or to withdraw them and to re-occupy at pleasure.

6.—We will provide such number of men as Government may direct to carry on the duties of Jezailchis, of whom some force is absolutely necessary, to enable us to render the road secure.

These men, having their head-quarters at Jamrud, will be subject to the inspection of the Political Officer, and all arrangements which we make for the distribution of their duties shall be reported to him. Should we wish to



employ them on any other duty than that of protecting the road, the permission of the Political Officer must be obtained.

We fully understand that these Jezailchis are not a Government force, and that although maintained at Government expense, they are being allowed merely as an additional means of enabling us to fulfil our engagements.

7.—So long as we are in receipt of the Khaibar allowances the right of collecting tolls rests with the British Government alone. We cannot claim any payments of traders or travellers.

8.—All offences committed on the road shall be dealt with by the united council of all the tribes, whether individuals or sections of tribes are concerned.

The council shall inflict punishment after the manner of our tribal customs and compensation will be awarded to the injured party or parties.

The action taken on the commission of any offence, or in regard to the punishment of the offenders, shall be reported to the Political Officer, through whom any compensation can be enforced by deductions from the allowances made by Government.

9.—In consideration of the allowances of which we shall be in receipt, we further bind ourselves not to commit dacoity, highway robbery, or murder in British territory. Any transgression of this condition will make our allowances liable to forfeiture in payment of fine or compensation due on this account.

10.—All arrangements that we make in fulfilling our responsibility for the protection of the road shall be reported to the Political Officer.

All convoys wishing to proceed through the pass shall be despatched periodically under a guard, and we are responsible for all trade or travellers admitted within the pass.

11.—We will maintain until further orders the standing posts or *chaukis* which have hitherto been kept up along the road by the tribes, and have been paid for from the allowances. The tribal watchmen who occupy them will be employed either in guarding their assigned localities or in forming part of the escort on the periodical convoys.

12.—Of the Government buildings situate in the pass, we consent to take some under our charge, guaranteeing their security; the rest should be dismantled by Government.

We engage to hold the fort of Ali Masjid, understanding that Government will grant an additional company of 100 Jezailchis for this special duty.

13.—We undertake to guarantee the safety of the Political Officer, or other official who may have occasion to visit the Khaibar Pass, provided that sufficient notice be given us beforehand.

14.—It is understood that the boundary fixed by Treaty of Government west of Landi Khana is the limit of our responsibilities. This is liable to subsequent alteration at the discretion of Government.



15.—Permanent arrangements will be made by which posts or expresses can be forwarded at any time, night or day.

16.—We are prepared to take charge of the Khaibar Pass in the manner above indicated from Landi Khana to Ali Masjid, and again from Ali Masjid to Jamrud, at once, or so soon as Government directs the withdrawal of troops from the whole of this road or any part of it. Meanwhile the tribes will preserve their present obligations.

17.—We understand that we are exclusively responsible for the future management of the Khaibar, and that Government in no way shares in this responsibility, and this position we accept.

## No. XXXII.

### AGREEMENT ENTERED INTO BETWEEN THE BRITISH GOVERNMENT AND THE KHYBER AFRIDIS,—1898.

Extract from a letter from the Secretary to the Government of India in the Foreign Department, to BRIGADIER-GENERAL C. C. EGERTON, A.-D.-C., C.B., D.S.O., Commanding the Khyber Brigade, dated Simla, the 7th October 1898.

The Governor-General in Council has decided to associate Mr. F. D. Cunningham, C.I.E., C.S., with you for the purpose of communicating to the full jirga of the Afridi clans,\* with whom the Khyber Agreement of 17th February 1881 was concluded, the terms upon which the Government of India have decided to renew friendly relations with them and to deal with the Khyber Pass.

2. The jirga has been summoned by you to assemble in Peshawar on the 24th October 1898, and I now am to convey instructions as to the manner in which you and your colleague will announce the Government terms and explain their nature and attention.

3. The announcement to be made is to the following effect:—

*First.*—The Afridis by their own acts ruptured all agreements, forfeited all allowances, and forced the British Government to take and hold the Pass which, as already announced by Sir William Lockhart, will be managed and controlled as the British Government think most desirable.

*Second.*—The Pass will be kept open for trade. The British Government will build a fort at Landi Kotal and posts between that and Jamrud, will keep up a good road or roads and, if they want it, a railway, and will take such measures as they think fit to punish offences and preserve order on road and railway, in the fort and posts, and in the neighbourhood where necessary for their purposes.

*Third.*—The Afridis will have no dealings with any power but the British. They will be left to manage their own affairs in their own country; but, in



the Khyber Pass, they are responsible to the British Government that they will co-operate to preserve order and security of life and property on roads or railway and within the limits of the Pass.

*Fourth.*—The British Government will give allowances as formerly to the Khyber Afridi clans for discharging this duty, and will maintain a militia recruited from the Afridi and other tribes and commanded by British officers. The British Government do not undertake to always keep troops at Landi Kotal, but will make arrangements for supporting the militia if circumstances require.

*Fifth.*—Arrangements for trade in the Khyber will be made by the British Government, and the militia will be used for guarding traders.

*Sixth.*—The allowances granted by the British Government will commence to reckon from the date of the adhesion by the tribe to the terms settled by the Government of India; but they are subject to withdrawal for misbehaviour in the Pass, in British India, or against the friends or allies of Government.

\* \* \* \* \*

Translation of written statement of acceptance of orders of Government handed in by Malikis, elders and representatives of the Khyber Afridis in full jirga.

*To Mr. F. D. Cunningham, Commissioner.*

SIR,

We, headmen, representatives, and men\* of the Afridi clans, Kuki Khel, Malikdin, Sipah, Zakka Khel, Kamrai and Kambar Khel represent that on the day of the Darbar,† six terms (or conditions) laid down by Government were read out to us, and after that copies of a Pushtu translation were given to us, we have thoroughly understood them; we now declare by this writing that we accept and acquiesce in these six terms which are attached‡ to this paper, and this "jirga" for itself and as representing all the clans concerned agrees to these terms unconditionally.

\* Kisharan, literally "small men."

† i.e., 24th October.

‡ Note.—Attached to the original is one of the lithographed copies of the terms, certified by seals of the principal Malikis.

*Dated 26th October 1898.*

*(Here follow seals and attestations of over 200 Malikis, elders and representative men.)*

No. XXXIII.

TRANSLATION of an AGREEMENT, dated PESHAWAR, the 1st of November 1904, taken from the Mullagori elders, etc., in accordance with Government of India, Foreign Department, letter No. 1844-F. A., dated Simla, the 6th May 1904.

We, the Mullagori elders, express our gratitude to Government for its kindness in granting our petition praying that our allowance might be increased on account of the construction of the road through our country.



The Political Agent has told us that Government has raised our allowance from Rs. 2,000 per annum to Rs. 5,000, and for this we are very grateful and happy.

The Political Agent has also told us that Government lays down the condition that it will have the right, whenever it may so please, to construct or utilise any forms of communication through our country, whether by road, railway, or boat, and that no further increase of allowance will ever be made to us on account of such works.

We have fully understood this, and will never ask Government for any increase to our allowance on such grounds.

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No. XXXIV.

TRANSLATION of an AGREEMENT, dated LANDI KOTAL, the 7th June 1906, taken from the SHINWARIS and SHILMANIS separately, regarding the increase in their allowances.

We clearly understand that the increase, which has been sanctioned by Government in our allowances, is final, that the increase is given as an act of grace and on the clear understanding that Government shall have the right at any future time to construct, make use of and maintain any form of communication in our country, and that such shall not be made the ground for any future increase in our allowances.

Agreed to in my presence.

F. WEBB WARE, *Major,*  
*Offg. Political Agent, Khyber.*

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No. XXXV.

AGREEMENT OF THE AKA KHAIL,—1856.

Whereas on account of former offences, we have been blockaded by the Government, we now repent of our evil deeds, and agree to pay a fine of Rupees two thousand six hundred and seventy to the Government, and to abstain from the commission of crimes in future: and that if any member of our tribe shall commit murder in British territory, we will deliver him up; should he escape, we will confiscate his property, and not allow him to return to our lands without permission of Government.

1. If the Government require from us the price of blood, we will pay it.
2. If any member of our tribe shall wound a British subject, we will pay such fine as the Government may demand.



3. If any member shall rob or steal from a British subject and be apprehended, we shall not intercede for him; if he return to our settlement and the theft be proved, we shall make good the property and levy a fine on him.

4. If any of our women elope to British territory, we shall send a jirga of grey beards to arrange the matter, and if she consents, will receive her back on giving security to Government for her safety.

5. If any of our tribe clandestinely bring into British territory an enemy of the Government, and the latter is apprehended, we will pay a fine of Rupees fifty, and not intercede for such enemy of Government.

6. If any criminal comes to our lands, we shall restore any stolen property he may have with him and eject him from our settlements.

7. We will not assist any criminal to escape from his captors who may have taken him beyond our habitations.

8. We will place a respectable man of each clan as a hostage with the Government.

9. Until the above sum of Rupees two thousand six hundred and seventy is paid in full, we will not come to the city of Peshawur on pain of apprehension. We will pay the money at the Thana of Badobair.

10. In event of the breach of any of these engagements, the Government will allow us a month to meet their demand; after that time the Government are at liberty to send our hostages to India, and to act as they may deem best.

11. If we commit any aggression in the Kohat Pass, our former pay of Rupees six hundred shall be stopped.

12. If suspicion shall attach to us on the part of Government or any British subject, we will answer for the same on the case being investigated in the same manner as is done for British subjects.

13. If punishment is to be enforced on any member of the tribe under the above agreements, we will allow an officer of Government to be present, that the Government may be satisfied of its being carried out.

14. If we shall have any claim or charge against a British subject, we will not take the law into our own hands, but report the case to Government Officers for the same enquiry as is made where British subjects are the complainants.

15. In regard to women who come from British territory to us, the same arrangements will be made as we have agreed to make in cases when they go from us to British territory.

16. Past offences to be forgiven, and in addition to the permanent hostages, we will give others until such time as the fine is paid, when they will be released.

*Signed on 11th January 1856.*



## No. XXXVI.

To the Heads of the AKA KHAIL TRIBE, composed of MAROOF KHAIL, MURGUT KHAIL, SHERE KHAIL, SUNDUL KHAIL, SOOLTAN KHAIL, MUNDA KHAIL, and others; also to the Heads of AKHOR, composed of BOLAKEE KHAIL, PEERBUL KHAIL, and GUDDIA KHAIL; also to the Heads of "GULLEE" AFREEDEE, composed of BOSTEE KHAIL, SHERUKKEE, YURGOON KHAIL KONEE, SOONEE KHAIL, TOR CHUPPUR and ISPUL KHAIL,—1867.

Whereas you have jointly left the adjustment of the "Kullum Sudda" boundary question in the hands of Government agreeably to a document signed at Kohat in November last by the Akhor and Gullee heads, and to a similar document signed by the Aka Khail on 21st April 1867, it is now therefore ordered as follows:—

1st.—A truce of seven years to be fixed between the disputing parties, such truce to have effect alike in British territory and beyond the border.

2nd.—In consideration of Akhor having formerly yielded the Kullum Sudda to the Bussee Khail, and although such cession of the land was made without the sanction or permission of Government, the bit of land which was measured by Meean Zyud Gool under orders of Major James, and which Akhor was allowed to cultivate, will now remain waste; the whole of the rest of the land under dispute will remain with Akhor.

3rd.—In consideration of the services and good conduct of the Bussee Khail, Government has allowed them Rupees 600 now (with reference to their long-standing claim to the Kullum Sudda, which has been disallowed); they will receive, during period of present agreement, an additional sum of Rupees 400.

4th.—Except in the matters herein above set forth, the Agreement entered into with Major Graham to remain in force, *vis.*, as regards the pass and road through it. The right of arbitrating and ruling in the matter of the Kullum Sudda boundary dispute *will still remain with Government* at the expiration of this seven years' agreement.

The contracting parties formally signed and executed the above Agreement in presence of Lieutenant Cavagnari, Officiating Deputy Commissioner.

(Sd.) F. R. POLLOCK,  
*Commr. and Superintendent.*

*Dated 25th April 1867.*



### No. XXXVII.

TRANSLATION of an AGREEMENT executed on 18th October 1902 by the headmen of the AKA KHEL AFRIDI TRIBE.

In consideration of the fact that the British Government has fixed an annual allowance of Rs. 4,000 for our tribe, we, the representatives of the Aka Khel tribe, do hereby agree to keep and abide by the following conditions:—

- I.—We will maintain friendly relations with the British Government.
- II.—We undertake tribal responsibility for all offences committed against the British Government either by
  - (a) members of our tribe, or by
  - (b) others living under our protection, or by
  - (c) members of other tribes who, before or after the commission of any offence in British territory, pass through our tribal limits; provided that in the hot weather months if any such offences as stated in (c) be committed, tribal responsibility will only be enforced against our tribe in the event of our failing to satisfactorily prove that the offence was committed solely by members of other tribes.
- III.—We undertake responsibility for the safety of British subjects visiting our country.
- IV.—We undertake responsibility to prevent raiding gangs from entering British territory from within our territorial limits, and to recover all stolen property brought into our country.
- V.—We undertake responsibility for the good behaviour of all outlaws and bad characters living in our country.

### No. XXXVIII.

TRANSLATION of TREATY entered into with the GULLEE AFREED-DEES, or AFREEDDEES of the KOHAT PASS, on the 1st December 1853.

We the undersigned Mullicks Khan Mahomed, Ameer, Nooray, Meeroo, Taj Khan, and Eesaef Akhor; Meeran, Meer Shikar, Zaphta Khan, Joomma, and Jafir, Mullicks of Zurghoon Kheyl; Paienda Khan, Gool Khan, Meah Shere Ahmed Khan, and Dost Mahomed, Mullicks of Sherukkee; Mulla Khan, Akrum, Sheeraz, and Goolistan, Mullicks of Tor Chuppur, all assembled at the Kohat Kotul, after hearing and considering the orders issued by Captain Coke regarding ourselves, voluntarily enter into Treaty with the British Government as under:—

1st.—The British Government claimed the Kohat Kotul as the Bungush boundary, and we objected: now, however, waiving our objections, we made



the Kotul over to the Bungushes, Government subjects, the Government making such arrangements with regard to both sides of the Kotul known as Paitao and Sweree as may seem fit, and establishing any posts of occupation on the Kotul that may appear necessary.

2nd.—Whatever property belonging to Government or its servants or subjects may have fallen into our hands, we agree to deliver up; should any not be forthcoming, we shall take oath in regard to it.

3rd.—Property of merchants robbed in the pass between Zurghoon Kheyl, Boostee Kheyl, etc., by men of Boostee Kheyl, shall be restored. In regard to robberies by men of Benghoon Kheyl, the same course shall be pursued, but it will not be possible to restore fruits which may have decayed, and we beg the Government to forgive us as regards such. Should the people of Zurghoon Kheyl have disposed of any articles, the prices will be restored, proof on oath of the value being tendered.

4th.—Henceforward in the event of any highway or other robbery being committed between Eymul Chubootra on the Peshawur side to the Sweree side of the Kotul, on the Deputy Commissioner of Kohat issuing orders with lists of property said to be stolen, and giving fifteen days' grace, we engage within the period either to restore the said property, or make good the loss.

5th.—We all of us agree, that if any of our tribe fire upon any picket or guard of Government troops or police or outpost, either within the bounds of the Peshawur or Kohat districts, and the fact be fairly established, Government may banish the hostages we have given withersoever it may seem good, and exact reparation from us; this Treaty having, by such act on the part of any of our tribe, become of no effect.

6th.—Subsequently to the ratification of this agreement, if any murderer, thief, adulterer, etc., a refugee from Government territory, seek shelter with us, we shall expel him from our bounds; such as may have previously resorted to our territory for shelter will be produced, if the Deputy Commissioner feels inclined to allow them to come to an agreement. Those who may still remain with us will be prevented from doing any injury in Government territory, or to Government subjects: we shall be their sureties.

7th.—Should any of our tribe commit murder in British territory, we shall at once expel him from his village, and his house shall be burnt and destroyed; should the culprit be captured by Government, he may be treated like any other murderer, according to the pleasure of Government.

8th.—Should any Government subject bring stolen property into our territory, on being informed of the fact, we shall restore the property, and expel the refugee.

9th.—We engage to maintain the posts and chowkies formerly established within our bounds by Colonel G. Lawrence and Captain Lumsden, at the same strength and in the same numbers, for the safety of travellers through the Pass as follows:—

By *Akhor*, three chowkies of twenty-five men in all, *vis.*, fifteen men at Eymul Chubootra, five at Woorsuck, five at Rookhi Woorsuck.



By *Shurukkee Zurghoon Kheyl* and *Tor Chupper*, three chowkies of twenty men in all, *vis.*, ten at Runjoo Tungi, five at Sundabusta, and between Shurukkee and Kotul five men.

*10th.*—Government to arrange for three chowkies on the Kotul from the tribes of Dowlut Kheyl, Jowakies and Bungushes; should any of the two former commit depredations within our bounds, if attached to any Bungush faction, the Bungushes will arrange about it; if attached to any of the pass factions, we undertake the settlement ourselves; should the crime be committed by members of any other tribe, we are responsible.

*11th.*—We undertake that none of our tribe commit theft or any crime in Government territory. In the event of such happening, and of the capture of the offender, the law may take its course. If the offender and property reach our territory, the property will be delivered up.

*12th.*—We request that the Government may be pleased to direct the release of any of our tribe now prisoners in Peshawur or Kohat, or that may have been sent across the Indus, provided the offenders have not been guilty of murder, also that confiscated goods and cattle be released.

*13th.*—After ratification of this Treaty, we beg that the Deputy Commissioner may issue orders to all Government officials to the effect that our tribe are to have free ingress and egress into and from British territory for purposes of trade and other lawful objects, in the same manner as British subjects, conditionally upon our proper behaviour.

*14th.*—To ensure observance of this Treaty on our part, we engage to give four hostages, from Shurukkee and Zurghoon Kheyl one each, and two from Akhor, to remain permanently under Government surveillance in British territory; these men to be occasionally relieved by approved substitutes.

*15th.*—Formerly we received a "mowajib" or pass allowance of Rupees 5,700 per annum. The Chief Commissioner reduced this amount by Rupees 300 per annum on account of the Bussee Kheyl, and we are satisfied. From opening of the pass after execution of this Treaty we shall receive Rupees 5,400 according to the following details:—

	Rs.
To the Mulicks . . . . .	2,700
To Chowkidars . . . . .	2,700
	<hr/>
TOTAL . . . . .	5,400
	<hr/>

*Executed on the Kohat Kotul, the 1st December 1853.*

*(Here follow the signatures.)*



NO. XXXIX.

Agreement concluded with the GALAI KHEL and AKHORWAL HASSAN KHEL Sections of the KOHAT PASS AFRIDIS, dated the 18th September 1899.

We, the undersigned Maliks of the Basti Khels, Sherakkis, Zarghun Khels and Akhorwals, on our own behalf and on behalf of our respective sections, having heard and understood the orders of Government contained in their Foreign Secretary's letters Nos. 999F. and 2315F., dated 26th April and 23rd August 1899, as communicated to us in jirga by the Deputy Commissioner of Kohat on the 7th September 1899, do hereby of our own free-will and consent enter into the following agreement with Government. In consideration of receiving an increase to our present subsidy of Rs. 3,000, including a sum of Rs. 500 which will be reserved for distribution as lungis or malikana, and the payment of a further cash present of Rs. 2,500 to deserving Maliks on the completion of the work, we voluntarily assent to and will cheerfully co-operate in, the construction of a proper metalled road through our limits in the Pass. Government may vary the present alignment of the road, but if any diversion passes through culturable or cultivated land reasonable compensation will be paid to individual owners. We understand that there is no intention of making any change in our relations with Government, or of interfering with our internal affairs, and that we will be allowed the option of doing the work ourselves, receiving payment for our labour.

We also engage to assist in every way survey or construction parties working on the road. In case Government hereafter desire to construct a railway or telegraph line, or to build posts in the Pass, we understand that this will be a question for future negotiation, and that no action will be taken in the matter without consulting us.

*(Here follow the signatures.)*

NO. XL.

AGREEMENT with the JAWAKI AFRIDIS of TORKI, SORKI, JAMU, PAYA, and GHARIBA, dated 26th December 1851.

We the undersigned Maliks Muhamadi, Siraj, Sarkan, Khairulla Khan Gul, Ghazah, Arsalla, Akhtari, Faujdar, Amin and Fakir, for ourselves personally and as representing the whole Jawaki jirga of Torki, Sorki, Jamu, Paya, and Ghariba, hereby agree in the presence of Captain Coke, the Deputy Commissioner, Kohat, as follows:—

1st.—Any property or cattle belonging to British subjects that may have heretofore been stolen by our tribesmen, or may have been received in our country, or may have been ransomed from us, we will on sufficient proof restore the same in kind to the Deputy Commissioner, or else the value thereof.



2nd.—If any member of our tribe commits theft, robbery, murder, mischief by fire, or other improper act or wounding any one in British territory, *i.e.*, in the country lying between Kohat and Khushalgarh, and in the Khattak ilaqa, or if any one commits any crime, such as theft, etc., without our information, and we come to know of the same, we will at once make him restore the property, and will exact a fine from him in addition, and if we do not hear of it ourselves, but are informed by the Deputy Commissioner (we will at once restore the property).

If any one commits murder, and has not escaped from our territory, we will arrest him and deliver him up to the British authorities. Should he, however, have escaped, we will destroy his house. If he again returns to our settlements we will hand him up to Government.

3rd.—If we allow any one to pass through our limits, or permit our own tribesmen to come and go to Peshawar (British territory) *via* Bori for the purposes of committing theft, or if any Boriwal thief finding a passage through our bounds, commits theft in British territory (Kohat ilaqa), we will be responsible for the restoration of the property.

4th.—We will be responsible for the safety of the road passing through our limits, and see that the Boriwals do not commit theft on it. We will not allow any property, which the Boriwals may steal from Peshawar, to be detained in our country, but we will deliver up the property at once to the Deputy Commissioner. If any thief with stolen property from Kohat passes through our limits to Bori, we will either restore the property or pay compensation.

5th.—Whenever we come to British territory for the purpose of trade (we will not bring any man of another independent tribe along with us; and if any such person accompany us and is arrested in British territory, we will not stand security for him).

6th.—To ensure proper observance on our part of the above conditions, we give the following hostages (*Here follow the names of twenty-three residents of British territory*) as securities to Captain Coke, Deputy Commissioner, Kohat; that if we fail to abide by the conditions herein made, the above-named men will take the responsibility upon themselves.

We further beg that our following requests may be favourably entertained by the Deputy Commissioner and granted:—

I.—That the following prisoners be released. (*Here follow the names of five men.*)

II.—That a general order may be issued to the effect that we "Paitao"\* Jawakis are to have free ingress or egress into and from British territory for purposes of trade or for other lawful objects, and that no one should arrest us on account of previous hostilities. We on our part will not bring along with us any men of independent territory. If after the issue of this order any one interferes with us in the limits of the Peshawar district or any other

\* *i.e.* The Jawakis living on the "sunny" or south side of the central range of hills in Jawaki country.



British territory, relief should be granted to us as to other British subjects ; but we of course will not take the law into our own hands, and will report the case to the Government officer for enquiry.

III.—If any bad character of our tribe commits any offence without our knowledge, the Deputy Commissioner should not give immediate orders for his arrest, but should send us an order through our sureties, so that we may be able to hold our jirga at leisure and arrest and punish the offender and restore the property or comply with any other order of Government.

### No. XLI.

#### TRANSLATION of AGREEMENT entered into by the JOWAKIH AFREEDEES, on the 3rd December 1853.

We Mullicks Seraj, Cassim, Shahwulle, Mooshkē, tribe Casim Kheyī, Bahurree, Sikaraj Mohiboolla, Mukhmud, Peeraj Oomray, tribe Ismael Kheyī, all Mullicks, of Torkee Sheredeen, Khangool, Namdar Hawur, Mullicks of Jummo, Sherebaz Sahib Khan, Yar Khan, Mukhmud Mujeeb, Mullicks of Paid ; Nishan Mullicks of Gureeba ; all of the tribe of Tuppah or Paitao Jowakih Afreedees, bordering upon British territory, assembled on the Kohat Kotul in presence of Captain Coke, Deputy Commissioner of Kohat, and after hearing and considering his wishes on the part of Government, hereby voluntarily enter into an engagement as follows :—

*1st.*—Having in consequence of former friendship with the Bungushes come to the help of the latter when contending with the Afreedees of the Kohat pass regarding their respective boundaries, we now engage to abide by the four following conditions :—

I.—We agree to furnish an outpost on the Kotul with twelve armed men to be constantly present in a tower erected upon our own part of the Kotul.

II.—Having thus come to the assistance of the Bungushes and agreed as above, we engage, in the event of any disturbance or fighting hereafter occurring on the Kotul, to come again to their aid with our whole force.

III.—We shall share with the Bungushes the responsibility of any injury committed or loss sustained on the Kotul.

IV.—Although we formerly entered into agreement not to commit any crimes, as murder, highway robbery, theft, etc., in British territory, we hereby repeat our engagement, that if any of our tribe be found guilty of such crimes in British territory, we shall, as a body, be responsible.

*2nd.*—To ensure a proper observance on our part of the above condition, we give Meer Mobarrick Shah and Bahadur Shere Khan as securities. In the event of failure on our parts the above-named chiefs (residents of British territory) will take the responsibility upon themselves.



3rd.—With the sanction of the Deputy Commissioner we shall hereafter, in consideration of this agreement, receive a share amounting to Rupees 2,000 per annum, from the mowajib or allowance formerly granted to the Bungushes.

4th.—Should any of our tribe commit any offence in the Kohat pass, we shall be responsible as above, and it is hereby arranged that our share of mowajib, *vis.*, Rupees 2,000 per annum, shall be duly paid to us so long as the agreement with the Afreedees of the pass endures.

*(Here follow the signatures.)*

## NO. XLII.

### TRANSLATION of AGREEMENT with the JOWAKIH AFREEDDEES (of Boree),—dated 11th January 1854.

We, Goolring, Moosakhan, Alum Shere, Futteh Shere, Mahomed Ameen, Mujeed Khan, Zerman, Mullicks of Boree, tribe Jowakih Mowalkheyl, for ourselves personally, and as representing the whole Jeergah or council of grey beards of our tribe, whose territory bounds with that of the British Government, hereby voluntarily engage to Captain Coke, Deputy Commissioner of Kohat, after considering well the matters to be arranged between us:—

1st.—We undertake that all raids or depredations, or any crime whatever in Government territory as hitherto practised by men of our tribe, shall cease and determine.

2nd.—If any criminal from Government territory seek refuge with us we shall expel him, and whatever stolen property he may possess, we shall restore on due certification as to its nature and quantity.

3rd.—Should any members of our tribe, or resident within our bounds, commit a crime in British territory, and be there captured, we shall take no measures for his release; should such person escape into our territory, we engage to restore any property he may have stolen, and we shall moreover punish the offender according to Afghan custom, and shall never thereafter allow him to repeat the offence within British territory.

4th.—Refugees, Hindkees, etc., from beyond the Indus, who have taken shelter with us, will be required to leave our bounds within two months.

5th.—We promise that, whenever the Deputy Commissioner of Kohat may have occasion to call for the assistance or co-operation of the other members of the Jowakih tribe, we shall be equally ready to render our services to Government.

6th.—Several families of the Mahomdie tribe, known as Pukhie, have always been associated with us, and living with us; we undertake to be



their securities in every respect, and hope the Government will forgive them the past; such members of other Afreedee tribes as may be living within our bounds will similarly be restrained under our security. We request that these may be allowed access like ourselves to British territory.

7th.—To ensure the observance of the above conditions on our part, we tender the security of all the other Jowakih Mulliks of Patral, also of Syud Meer Mobarick Shah, Naib Mahomed Saeed Khan (of Goombut), and Bahadoor Shere Khan. Should any infraction of Treaty occur, they will be responsible for us.

8th.—On ratification of the above, we request the Deputy Commissioner of Kohat to communicate with the Deputy Commissioner of Peshawur, in order that we may be allowed to proceed thither for lawful purposes; we also request to be furnished with five copies of a purwannah to this effect, as also an order which may prevent our being captured beyond the Indus, in the Rawal Pindie district.

9th.—Seven of our tribe (five in Kohat, and two in Peshawur), are in prison; we request that on ratification of this Treaty the Deputy Commissioner of Kohat may take measures for their release.

10th.—We agree not to bring Ahmeedee (a Government enemy) with us into British territory, nor any such obnoxious persons.

*(Here follow the signatures.)*

## No. XLIII.

### TRANSLATION OF AGREEMENT WITH THE JOWAKIS.

Government having sanctioned the grant of a tribal service allowance of Rs. 1,848 per annum to us on condition of our building four towers on our border at sites which the Deputy Commissioner may approve and point out, and on our manning each of them with four chaukidars for the protection of the road and prevention of crime, we Maliks Bahari, Bahram, Amal Din and Alam Din Jowakis of the Ismail Khel section, and Maliks Fattah Khan, Qadirai, Ulai and Qadar (No. II), Jowakis of the Kasim Khel section of Shin Dhand, and Maliks Khushki (Ibrahim Khel) and Alam Gul, Zar Baz, Muhammad Alam Zirin, Mehtar Din, Sadr, Mather, Alam Khan, Shindi Gul, Ghazan Shah, Umar Khan and Mushki of Jammu, and Zamir, grandson of Malik Lashkari, and Hamid, Tandaiwal and others of the Jowaki tribe personally on our own behalf as representatives on the behalf of our tribesmen, accept to receive the said allowance and do hereby in return for the said grant enter into agreement and bind ourselves as follows:—

(1st) That we will build the four towers in our respective limits at sites where the Deputy Commissioner direct us to build, and garrison each of them with four men;



(2nd) That we will at once restore any cattle or Government property which may be stolen from the British territory. If any one refuse, we the jirga will comply with the orders which be issued by the Deputy Commissioner;

(3rd) That we will not allow in future any member of our tribe to commit theft, robbery, murder, to inflict wound or to do mischief by fire or to perpetrate any other misdeed in the British territory. If any man of our tribe commits any of the said offences, we will abide by the orders which be passed by the Deputy Commissioner in case of proof;

(4th) That we will not allow passage to any other tribe of the independent territory for interfering with British territory.

(5th) That if any woman is abducted and brought to our territory, she will be restored with property and jewellery, in case of widow and virgin on the application of her heirs, and in that of a married woman on the application of her husband. If any one objects, we the tribesmen will restore her with a fine in addition.

(6th) That when the said towers are completed we will appoint four men in each of them and will be responsible for protection;

(7th) That if any murderer or any outlaw after committing murder takes shelter with us, we will be responsible for his good conduct, otherwise we will comply with orders that be given;

(8th) That if hue and cry is raised from the British territory, we will assist the Chigha party;

(9th) That if an unmarried woman being displeased comes to our territory that on demand of her relatives she shall be made over to them;

(10th) That if the route leading from the British territory *via* Fortang Pass, Banda Ghulam and Shin Dhand to Khawara be used by public servants or British subjects, or if Government property, such as tents, etc., are taken on it, we will be responsible for their protection;

(11th) If any search is ordered to be made in our Ilaqa, we shall have no objection, and if during such search any stolen property is found, we will restore it in kind and will carry out the orders given regarding the offenders; and

(12th) That we will be responsible for the protection of any public servant or mohtibar of the British territory who comes to our Ilaqa for the performance of any public duty, and will receive him properly.

*(Here follow the signatures.)*

#### NO. XLIV.

AGREEMENT entered into with the CHIEF COMMISSIONER of the PUNJAB and the MULLIKS of JANAKHÖR, KOREE, KUNDAO, KUNDUR, OCHUL, GADHA, TURONEE, and MOOSA DURRA,  
—1853.

Whereas we the undersigned have received permission to come and go at will in the territories of the British Government, we therefore hereby agree—



1. That neither we ourselves, nor any resident of our settlements, will hereafter commit any raid, theft, or other crime within the British territories, but will freely and quietly carry on our trade and other business in those territories.

2. That we will not give a passage through our settlement to any bad characters, thieves, or evil-minded persons, whether Afreedees or others, who may desire to obtain such passage for the purpose of committing crime in British territory, nor will we give such passage to thieves and others who may come from British territory with stolen property.

3. That if any criminal or murderer seeks an asylum from British territory with us, we will not grant such asylum, but will promptly eject such criminal or murderer from our settlements.

4. That we will not allow any bad character or evil-disposed person to come or go in British territory under cover of the "Perwannah" to be granted to us.

5. That, in event of the breach of any of the above stipulations on our part or that of any resident of our settlement, it shall be open to the British Government to deal with us as they may deem fit.

*Signed on 15th November 1853.*

#### No. XLV.

AGREEMENT entered into with MAJOR F. R. POLLOCK, COMMISSIONER, PESHAWUR DIVISION, and the MULLIKS of JANAKHOR, KHOOE KUNDAO, KUNDUR, TUROONA and MOOSADURRA,—1867.

Whereas we the undersigned, in consequence of our having retracted from our agreement regarding the Kohat pass dispute between the Bolakee Khail and Guddia Khail and for subsequent offences, have been blockaded and excluded from British territory; we now repent of our evil deeds, and agree to pay, if Government so demand it, a fine of Rupees 2,000, and to abstain from the commission of crimes in future, and faithfully adhere to the agreement entered into by our tribe with the Chief Commissioner of the Punjab on the 15th November 1853.

2. Whereas the Guddia Khail have taken refuge with our tribe, we agree to either arrange their dispute with the Bolakee Khail, according to the wishes of Government, or that the Guddia Khail shall adhere to the agreement made at Kohat, or else, we shall expel them from our tribe, and afford them no further aid or protection.

3. We agree to restore all stolen property proved to be now in our country, and we bind ourselves to adjust in the usual manner all cases between our tribe and British subjects.



4. As sureties for our good faith in the above agreement, we leave the undermentioned members of our tribe as hostages with the Deputy Commissioner of Kohat so long as Government demand their retention :—

Mullik Adil Beg.  
Mullik Moola Khoedad.

Mullik Ursilla.  
Mullik Payon.

Mullik Ujjul.

The hostages to be relieved every three months by the same number, and approved of by Government.

[Here, in the original Persian document, followed the signatures of all the Hussun Khail, Alla Khail, and Guddia Khail Mulliks as contracting parties, and of the Fowakee Elders as witnesses.]

The 8th April 1867.

## NO. XLVI.

### AGREEMENT of the BEZOTEE and FEROZE KHAIL TRIBES,— 1853.

After Preliminaries—

We of our own free-will and accord agree as follows :—

The Government having been pleased to assign us an annual payment of Rupees two thousand, in consideration of our services on the crest of the pass, we agree to the following stipulations :—

1. We will maintain a post of twelve armed men in the tower made over to us on the crest of the pass.

2. In event of any disturbance taking place on the crest of the Pass, we will proceed there in force and render assistance to the Bungushes.

3. We agree to commit no crime of any kind in British territory ; if any member of our clans should do so and return to us, we will punish him by our Code, and take care that he shall not so offend again.

4. Whereas the clan of Otman Khail forms with us the tribe of Dowlutjai, but they have not yet rendered any service or come in to the Government ; should they hereafter do so, we will settle amongst ourselves the share they are to receive of the above Rupees two thousand ; they will have no separate claim on the Government ; and after we have effected an arrangement with the Otman Khail, we will be responsible for their good conduct.

5. Whereas our lands adjoin British territory, if any criminal comes to us, we will restore any Government property he may have, and eject him from our settlements.

6. If any injury is sustained on the crest of the pass, we will be responsible for the same with the Bungushes to the extent of our share.

7. We will be responsible that no man after stealing in British territory finds a passage through our lands.



8. We will not permit any member of our tribes to commit offences in the pass, in the boundary of the Adam Khail, and will be responsible in such cases.

9. We give as our securities Bahadur Shere Khan, Mullik Magoolah Khan, and Khitrab Shah Sahibzadah.

*Signed on 3rd December 1853.*

### No. XLVII.

#### AGREEMENT made by the SIPAH (ORAKZAIS) TRIBE in connection with KOHAT PASS arrangements on 6th December 1853.

We the undersigned Sainuck Ahmed Shah, Zabita Khan, Moorad Khan, Sufdar Ali Shah, Roostum Ali, Abdul Hussun, Hyder Ali, Shawulee, Zam Khan, Jowahir Ali, Ahmed Shere, and Gholam, all Mullicks of the Sipah Tribe on the border of the Kohat district, being present on the Kotul, after conversing with Captain Coke, Deputy Commissioner, and fully understanding what is required of us, do hereby enter into an engagement with the British Government as follows:—

1. The Bungush tribe having had a dispute with the Afreedees of the Kohat pass regarding boundaries, and having come into hostile collision with them on the Kotul, we of the Sipah tribe, owing to ancient friendship with the Bungushes, came, when solicited, to their assistance. At the conclusion of the affair (on the Kotul) we made an agreement with the Bungushes according to the four subjoined stipulations:—

*1st.*—That two men of our tribe should constantly remain as part of the garrison of the Bungush tower on the boundary.

*2nd.*—That in all matters connected with the Kotul and its protection, we shall invariably side with the Bungushes, and bring our whole force to their assistance in case of need.

*3rd.*—That in the event of any loss or injury occurring on the Kotul, we shall be responsible with the Bungushes in proportion to the quota of men furnished by us.

*4th.*—That although we formerly gave verbal promises that none of our tribe should commit theft, highway robbery, murder, or other crimes, within British territory, we now enter into this written engagement, that if any of our tribe be guilty of committing crimes of the above nature within British bounds, we shall be collectively responsible, and shall moreover restore plundered property, punishing the murderer or thief besides, according to Afghan custom, by burning his residence, and expelling him from his village; should the guilty party be captured in British territory, he may be dealt with as the British authorities deem fit; we shall make no intercession on his behalf. We have fully and voluntarily agreed to these four conditions.



2. To ensure observance on our part of the above conditions, we furnish the security of Syuds Hossein Ali Shah and Mirzain Ali Shah (of Merye, British territory), and of Mullick Alayar Khan of Alizye (ditto) to this effect that if we fail to abide by the conditions herein made with the Bungushes in the presence of the Deputy Commissioner of Kohat, the sureties here named shall be responsible, and will see reparation made.

3. The Bungushes have agreed that the sum of Rupees 500 per annum be paid to us from their share of the Kotul allowance in return for our present Agreement, in presence of the Deputy Commissioner.

4. If any of our tribe commit an offence in the Kohat pass, as theft or any other improper act, we undertake the responsibility of satisfying the demands of Government. Our share of Rupees 500, as above-mentioned, to be regularly paid to us so long as the present Kohat pass arrangements endure.

*Executed the 6th December 1853.*

*(Here follow the signatures.)*

### NO. XLVIII.

#### AGREEMENT with the UTMAN KHEL of the DAULATZAI ORAKZAI, dated 22nd March 1855.

We the undersigned Maliks Iwaz Khan, Khan Gul, Mian Alam Khan, Khwaja Nur Akram, Mansur Khan, Painsa Khan, Abdul Sem, Kanir, Hassan Khalla Khan, Fakir, Mushki and Mian Akbar Hussain, of the Utman Khel clan, for ourselves personally and as representing the whole jirga of our tribe, hereby voluntarily engage to Captain Coke, Deputy Commissioner, Kohat, as follows:—

1.—When we accompanied the Firoz Khel and Bazoti jirgas at the time of their entering into an engagement with the British Government, we were ill-disposed towards them, but we have now come to terms with them, and have agreed to take the following share from the Bazoti and Firoz Khel allowances with effect from February 1855:—

Firoz Khels two shares, or two-fourths.

Utman Khel one share, or one-fourth.

Bazoti one " or one-fourth.

we will maintain a post in the tower on the crest of the Kohat pass.

2.—When any member of our tribe commits theft or other offence affecting person or property in the British territory and is apprehended there we will not intercede for him; and if he escapes and returns to our settlements, we will at once compel him to restore the property, and we will also expel him from our settlements with the consent of the jirga in a body.



We further bind ourselves to the faithful performance of the terms of the engagement entered into with the British Government by the Firoz Khel and Bazoti clans.

*Signed 22nd March 1855.*

## No. XLIX.

ENGAGEMENT executed by the MUHAMMAD KHEL ORAKZAIS, comprising the clans of BAR MUHAMMAD KHEL, ABDUL AZIZ KHEL, and MANI KHEL, dated 2nd April 1872.

Whereas we Maliks (*here in the original follow the names*) of the sections of Miraji Khel, Allahdad Khel, Khoidad Khel, Saiad Khel (Bar Muhammad Khel); Azbar Khel, Kaddam Khel, Balol Khel, Darwesh Khel (Abdul Aziz Khel); Ahmad Khel, Mast Ali Khel, Mir Waz Khel, Zakaria Khel, Sabzi Khel, Salur Khel, Badda Khel (Mani Khel), composing the Muhammad Khel tribe of Orakzais, have for some time past had dealings, but have never hitherto entered into a written treaty with the British Government.

Therefore we at this present time at Hangu, in presence of Captain T. C. Plowden, Officiating Deputy Commissioner, Shahzada Sultan Jan, Extra Assistant Commissioner, Mozaffar Khan, Tahsildar of Hangu, Muhammad Amin Khan of Gandior, Saiad Muhammad Hassan of Tirah and others agree henceforth to abide by the following conditions, *viz.*:—

That—

- (1) we will not commit crime in British territory;
- (2) we will not give a road to or fro to offenders thereon;
- (3) we will not give an asylum to British criminals, but will restore all property of others which such persons may bring to us and expel them from our bounds;
- (4) we will arrange to settle by jirga any matter connected with the affairs of a British debtor who may have fled to us, but will only deliver him up on condition of his not being imprisoned;
- (5) we will restore any property stolen from British territory by any clansmen of ours who may have escaped to us and impose a *nagha* (or fine) on him;
- (6) we will be responsible as a tribe for the actions of our clansmen, our vassals and all who reside with us;
- (7) we will not attempt to interfere between the British Government and any criminal of our tribe arrested by it in British territory for any offence committed therein;
- (8) we are responsible that compensation is made for all property carried by offenders of other tribes through our territory;



(9) we will restore all property stolen by other tribes from British territory found with us, whether it be so with us in deposit or purchased, and will reimburse ourselves from the tribe against whom we shall prove the offence;

(10) we will restore all property and jewels carried off by a woman on her elopement with her lover, and expect similar consideration in case of a woman of our tribe eloping to British territory;

(11) we will deliver up any woman who may have left her home in British territory on account of domestic disputes to a jirga of grey beards, and request similar consideration for women of our tribe who may be residents in British territory for similar reasons; we will, however, give security that our clans woman shall not on her return to us be put to death;

(12) we will not attempt to satisfy ourselves with our own hands in any claim, civil or criminal, which we may have against British subjects, but will file a petition for redress;

(13) we will not be allies of those in hostility with the British Government, nor will we give them a passage through our limits, nor introduce them into British territory. If we do, and they are found in our company, we will not, in case of their arrest, intercede for them, but be ourselves offenders to the British Government;

(14) we will not war with our enemies on British soil, nor attack them whilst they are travelling through British territory;

(15) we will not wound or harm any British subject who may come to search or enquire for stolen property; if we do we are as a tribe responsible for the breach;

(16) we will, whenever Government may call on us, not refuse to swear as a tribe to the innocence of any accused person should he plead not guilty, doing so either "*gutallak*" (*i.e.*, by selection) or in whatever way Government may desire;

(17) we will never, night or day, oppose the passage through our limits of a British pursuit party, but will assist them; if we free a thief from the pursuit party or conceal him and give him an asylum we will be bound to compensate to Government the amount of loss he may have inflicted;

(18) we are offenders before Government and liable to punishment if we do any act in contravention of this treaty;

(19) we will obey any orders that may be issued to us for any offence not provided for in this treaty after our jirga shall have been summoned and enquiry been made;

(20) we will treat any Government servant or other person sent by British Government to execute any order or sentence on us in our territory with respect and hospitality.

*Seal of Saiad Muhammad Hassan of Tirah and of the leading Maliks of the Muhammad Khel entered into at Hangu this second day of April 1872.*



## No. L.

## AGREEMENT with the AINPOSH SIPAYAS of TIRAH, dated 10th May 1872.

We, the Maliks of Sipaya Ainposh of Tirah, state as follows:—

"Whereas we and the men of Lower Sipaya are of the same clan, and had one and the same agreement with the British Government ever since the establishment of the British rule here; and whereas owing, of late, to our falling out with the Lower Sipayas on account of disputes regarding the allowances paid to us by the British Government, and, owing to our settlements being separate from those of the Lower Sipayas, the latter have entered into a separate agreement with the British Government, but we have not done so up to the present time. Now, we, considering ourselves also obedient to the British Government, have appeared at Kohat, with Said Muhammad Hassan, Miyan of Tirah, whose disciples we are, before Captain Plowden, Deputy Commissioner, Kohat, and in the presence of Shahzada Sultan Jan, Extra Assistant Commissioner, enter into an agreement for ourselves and on behalf of our other clansmen that we will duly conform—through the medium and upon the responsibility of Said Hassan Miyan—to the agreement containing 20 sections entered into with the British Government by the Muhammad Khels\* on the 2nd April 1872: provided that this agreement shall not in any way affect our claims against the Lower Sipayas to share in their allowances.

We will also be responsible for any offence committed by any member of our clan while residing with the Lower Sipayas.

## No. LI.

## REVISED AGREEMENT taken from BAR MUHAMMAD KHEL and MANI KHEL clans.

Whereas Government has been pleased to sanction the grant of a tribal service allowance to the <sup>Bar Muhammad Khel</sup><sub>Muni Khel</sub> clan on condition of service being rendered in return, we, the undersigned Maliks of the <sup>Bar Muhammad Khel</sup><sub>Muni Khel</sub> clan, in consideration for the said allowance, do hereby enter into agreement with Government on behalf of ourselves and of our clan and bind ourselves and our clan as follows:—

1. That we will build and keep in proper repair one tower, and regularly garrison the same with chaukidars for the protection of the road and the prevention of crime.
2. That we will be of good behaviour towards Government: that we will not harbour outlaws, nor be guilty of any unneighbourly conduct



or action towards Government; and that we will hold ourselves entirely responsible for the protection and security of the whole of our border which adjoins British territory.

3. That whenever any European officer or British subject pays a visit to our country for shooting or other purposes, we will be responsible for his safety in every way, and will show him hospitality.

### NO. LII.

TRANSLATION of AGREEMENT executed by the UTMAN KHEL section of the DAULATZAI-ORAKZAIS, dated 7th November 1899.

Three chaukidars are at present appointed by us at the Kotal Post, from each of whom we realize Rs. 5 per annum as "psuna." The Government now wish to substitute Border Police for these chaukidars to which arrangement we have no objection. The sum of Rs. 5 per annum, which we hitherto realized from each chaukidar, will in future be paid to us by Government along with our subsidy.

We execute this agreement as a sanad in token of our approval of the above-noted arrangement.

*(Here follow the signatures.)*

*A similar agreement of the same date was executed by the Bizote section.*

### NO. LIII.

TRANSLATION of AGREEMENT executed by the SIPAYA section of the DAULATZAI-ORAKZAIS, dated 7th November 1899.

Two chaukidars are at present appointed by us at the Kotal Post, from each of whom we realize Rs. 5 per annum, as "psuna." The Government now wish to substitute Border Police for these chaukidars, to which arrangement we have no objection. The sum of Rs. 5 per annum, which we hitherto realized from each chaukidar, will in future be paid to us by Government along with our subsidy.

We execute this agreement as a 'sanad' in token of our approval of the above-noted arrangement.

*(Here follow the signatures.)*



No. LIV.

TRANSLATION of AGREEMENT executed by the FIROZ KHEL section of the DAULATZAI-ORAKZAIS, dated 7th November 1899.

Six chaukidars are at present appointed by us at the Kotal Post, from each of whom we realize Rs. 5 per annum as "psuna." The Government now wish to substitute Border Police for these chaukidars, to which arrangement we have no objection. The sum of Rs. 5 per annum, which we hitherto realized from each chaukidar, will in future be paid to us by Government along with our subsidy.

We execute this agreement as a sanad in token of our approval of the above-noted arrangement.

*(Here follow the signatures.)*

No. LV.

AGREEMENT WITH THE TERAH STURI KHELS RELATING TO THE MAINTENANCE OF A TOWER FOR THE PROTECTION AND SECURITY OF THE BORDER ADJOINING BRITISH TERRITORY,—1893.

Whereas Government has been pleased to sanction the grant of a tribal service allowance to the Tirah Sturi Khel clan on condition of service being rendered in return, we, the undersigned Maliks of the Sturi Khan clan, in consideration for the said allowance, do hereby enter into agreement with Government on behalf of ourselves and of our clan, and bind ourselves and our clan as follows:—

1. That we will build and keep in proper repair one tower and regularly garrison the same with chaukidars for the protection of the road and the prevention of crime.
2. That we will be of good behaviour towards Government: that we will not harbour outlaws, nor be guilty of any unneighbourly conduct or action towards Government; and that we will hold ourselves entirely responsible for the protection and security of the whole of our border which adjoins British territory.

Dated 29th June 1893.

*(Here follow the signatures.)*



### No. LVI.

#### AGREEMENT entered into by the CHIEFS of the RABIAH KHAIL TRIBE,—1855.

Whereas pardon has been extended to us for past offences, and we have agreed to refrain from all further crimes in British territory, we voluntarily engage as follows:—

1. We will restore all cattle now with us plundered from British subjects, and any which may hereafter be ascertained to be with us, but the Government will not claim such cattle which may have been taken by the troops during hostilities.

2. We will not, for the future, commit any crime or offence against the persons or property of British subjects. We will also restore any property stolen from British territory by members of other tribes passing through our lands. If the thief prove to be a member of our tribe, we will further exact a fine from him. If stolen property is not traced to us, but only suspicion rest on the tribe, we will administer an oath to two men of the suspected section; if they will not swear, restitution of the property shall be made.

3. We will leave five members of our tribe as hostages with the Deputy Commissioner, who will be exchanged from time to time.

*Signed on 20th September 1855.*

### No. LVII.

#### AGREEMENT made at GULISTAN with AKHEL TRIBE on 25th May 1891.

The Sarki Khel will furnish three men and the other three sections (Dalak Nmasi, Shmali Nmasi and Masan Khel) two men each for tribal service, who will be paid at Rs. 6 each per mensem or Rs. 648 per annum. Besides this they will furnish three havildars, *viz.*, one from the Sarki Khel and two from the other three sections, to be appointed by themselves. These will get Rs. 10 each per mensem or Rs. 1,008 in all including the pay of the remaining nine men.

The Akhels undertook to build three towers in their respective Bandas—*i.e.*:—

1 in Chauri Khula.

1 in Shamsuddin Killa.

1 in Ghlo China.

They will be paid Rs. 200 for the construction of each tower.

In return for this the Akhels agree to the following terms and for the carrying out of which they accept responsibility—

1st.—They will allow no thieves to pass, or stolen property to be carried off through their limits.



2nd.—They will allow no outlaw from British territory to enter their country, and any outlaw who now resides with them will be turned out by them at once; if he does not go to the Deputy Commissioner of Kohat, to have the case against him settled.

3rd.—They will not give passage through their limits to any tribe which, becoming hostile to the British Government, may wish them to give them passage so as to carry on hostility or commit offences.

4th.—They will not carry on their own internal feuds on the south side of the Samana, and if any offence is committed in prosecution of these feuds in the said limits, it will be settled under the Frontier Crimes Regulation.

5th.—If any British Officer wishes to go to the Akhel country on shooting excursions, they will furnish him with an escort and be responsible for his safety.

6th.—They will pay 8 annas per house per annum as revenue for the hamlets situated on the sunny side of the Samana, and if any special reason, *i.e.*, misbehaviour, etc., may arise, the Government will have the power to raise this amount.

H. P. LEIGH, Major,

Deputy Commissioner.

(Here follow the signatures.)

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## NO. LVIII.

### AGREEMENT made at MASTAN with the RABIA KHEL TRIBE on 1st June 1891.

They, together with the two sections (the Ibrahim Khel section of the Ismailzais and Malik Nakshaband Sadda Khel) will furnish 9 men at Rs. 6 each per mensem, and three havildars at Rs. 10 each per mensem, or Rs. 1,008 in all per annum, whom they will appoint themselves.

The Rabia Khels undertake to build three towers at places on the north side of the Samana commanding the Khanki route to be subsequently determined, and will be paid Rs. 200 for the construction of each tower.

In return for this, the Rabia Khels agree to the following terms, for the carrying out of which they accept responsibility—

1st.—They will allow no thieves to pass or stolen property to be carried off through their limits.



2nd.—They will allow no outlaw from British territory to enter their country, and any outlaw who now resides with them will be turned out by them at once; if he does not go to the Deputy Commissioner of Kohat, to have the case against him settled.

3rd.—They will not give passage through their limits to any tribe which, becoming hostile to the British Government, may wish them to give them passage so as to carry on hostility or commit offences.

4th.—They will not carry on their own internal feuds on the south side of the Samana, and if any offence is committed in prosecution of their feuds in the said limits, it will be settled under the Frontier Crimes Regulation.

5th.—If any British Officer wishes to go to the Rabia Khel country on shooting excursions, they will furnish him with an escort and be responsible for his safety, and

6th.—They will pay 8 annas per house per annum as revenue for the hamlets situated on the sunny side of the Samana, and if any special reason, *i.e.*, misbehaviour, etc., may arise, the Government will have the power to raise this amount.

H. P. LEIGH, *Major,*  
*Deputy Commissioner.*

*'Here follow the signatures.)*

## NO. LIX.

TRANSLATION of the AGREEMENT of SAIDAN SHAH, proprietor of spring No. 3, executed 22nd June 1899.

I, SAIDAN SHAH, son of Muhammad Sher, caste Farakh Shah Khel Rabia Khel of Neka Mela, independent territory, do hereby execute this agreement, declaring that I have, of my own free will, sold to Government for Rs. 200 (two hundred) (Government coin), the receipt whereof in full I hereby acknowledge, half of the water of spring No. 3, called Aghuza-Tang, which is situated at Neka Mela (near Fort Lockhart) in independent territory, and is my sole property, together with the land attached thereto, and all proprietary rights comprised therein, and my concern in the same shall henceforth cease. The agreements relating to the collection, and distribution of water shall be carried out by Government. Government is at liberty to construct one or more pacca masonry tanks, and wooden water troughs for watering mules and cattle, at, on, in the vicinity of the said spring, and to lay pipes to carry water thereto. It is also provided that I shall be entitled to water my cattle from the existing katcha tank under spring No. 3, which will be cleared by Government, and thus made fit for the purpose. Government, moreover, are at liberty to make a road 6 feet wide, leading to the said spring by any alignment which may prove convenient.



The sum of Rs. 200 includes the consideration for the land under the permanent works, now existent, or those that may be constructed hereafter, in connection with the said spring. I shall raise no objection whatever to the construction in future of any works, etc., for the protection, distribution or conveyance of the water of the spring, and shall be responsible to Government if any other person puts forward a claim to the rights hereby transferred. I hereby make over possession of the said spring to Government.

In the first agreement the stipulations attaching to spring No. 2, the property of Said Nazir, were erroneously entered. The conditions hereinbefore described are correct, and the alterations have been made by my consent.

This agreement has accordingly been executed by me to serve by way of a sanad.

#### TRANSLATION of the AGREEMENT of SAID NAZIR, proprietor of spring No. 2, executed 22nd June 1899.

I, SAID NAZIR, son of Shah Baz, caste Piao Khel Rabia Khel, do hereby execute this agreement, declaring that I have, of my own free will, sold to Government for Rs. 200 (two hundred) (Government coin), the receipt in full whereof I hereby acknowledge, spring No. 2, known as Ghirghuri, situated in the limits of village Tora Sata in independent territory, along with the land attached thereto, and all the proprietary rights comprised therein, which are my sole property, and my concern in the same shall henceforth cease. If, after meeting the requirements of Government, there is any surplus water from the spring I may use it with the permission of the authorities, and in such manner as they may direct.

The Government are henceforth at liberty to construct wooden troughs or one or more pacca masonry tanks, at any suitable place in the vicinity of the said spring, and, to lay pipes to carry water thereto. Government, moreover, are at liberty to make a road 6 feet wide leading to the spring by alignment, which may prove convenient.

The sum of Rs. 200, acknowledged above, includes the consideration for the land under the permanent works, now existent, or those that may hereafter be constructed in connection with the said spring, I shall raise no objection whatever to the construction in future of any works, etc., for the protection, or conveyance of the water of the said spring, and shall be responsible to Government if any other person puts forward a claim to the rights hereby transferred. I hereby make over possession of the said spring to Government.

In the first agreement the stipulations attaching to spring No. 3, the property of Saidan Shah, were erroneously entered. The conditions hereinbefore described are correct and the alterations have been made by my consent.



This agreement has accordingly been executed by me to serve by way of a sanad.

### NO. LX.

AGREEMENT entered into by the UTMAN KHEL of the DAUL-ATZAI ORAKZAI,—1858.

We the undersigned agree—

1. We will not commit crime against any resident of British territory.
2. If any member of our tribe commits murder and is apprehended in British territory, we will not intercede for him, and if he return to us and the crime is proved against him, we will banish him from the tribe, confiscate his property, and not allow him to re-settle without the permission of Government.
3. If any member of the tribe is apprehended for highway robbery or theft, we will not intercede for him, and if he escape and return to our settlements—if the crime is established against him by two witnesses not hostile to our tribe—we will either restore the stolen property or its value to the owner thereof, and will further destroy his house; if there is no proof against him, the Government will be satisfied by the oath of two of our tribe.
4. If any other criminal comes from British territory to our settlements with stolen property, we will restore the same and eject the criminal from our bounds.
5. We will not bring into British territory any evil-disposed person; if we do so, and he is apprehended, we will not intercede for him.
6. If any person elopes with a woman into our settlements, and has property with him, we will restore it; if he denies having the property, we will administer an oath to that effect to the man and the woman, but we cannot give up the woman. We will try to effect an arrangement by "jirgah." If a woman comes to our settlements, having left her parents or guardians, if a "jirgah" of grey beards comes for her and makes arrangements, we will give her up to such "jirgah."
7. If any resident of British territory has a money claim against any member of our tribe, and petitions the Government about it, let an order be written to us, we will assemble the "jirgah" and do justice, or send in the defendant to make reply in Court.
8. If any member of our tribe has a money claim against a British subject, we will not make reprisals, but prefer our complaint to the British authorities.
9. We will not assist any hill tribe in any recusancy against the British; if any member of our tribe should do so, and it be discovered, we will burn his house, banish him from our settlements, and not permit him to re-settle with us without the permission of Government.



10. If a member of our tribe accompanies a party of robbers from another tribe to commit theft in British territory, the Government will not on his account hold us responsible, but the tribe whose party he accompanied.

11. If a member of our tribe purchases or receives in deposit from another tribe cattle which has been stolen in British territory, we will restore the same.

12. We will obey all written orders of the Government addressed to us.

13. If a debtor escapes to our settlements, we will endeavour to arrange the matter by "jirgah"; failing this we will send the parties to Court, provided that the debtor be not imprisoned, but an arrangement be made for the liquidation of the debt by instalments.

14. We give the Mulliks of the Bezotee tribe as our securities; in event of any breach of the above engagements, the Government is free to call them to account.

15. The Government having forgiven our past offences on payment of Rupees one hundred and seventy-five, we are not to be called to further account for them, and we will be permitted to come and go at pleasure in British territory.

16. In regard to the tower on the Pass, we agree to hold it on the same terms as the Bezotees and Feroze Khail; same with Alee Sherzai.

*Dated 2nd August 1858.*

*(A similar Agreement was entered into in 1858 by the Zaimukhts.)*

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## No. LXI.

### SECOND ENGAGEMENT with the ALISHERZAI CLAN of ORAKZAI TRIBE, dated 25th March 1870.

Since the Alisherzai tribe have been, on account of their breaking the Treaty of 1858, prohibited all further intercourse with British territory, we, the above-named persons, having now personally appeared before Lieutenant Cavagnari, Deputy Commissioner of Kohat; Muhammad Hiyat Khan, Extra Assistant Commissioner; Muzaffar Khan, Thasildar of Hangu; and Muhammad Amin Khan, Thanadar of Gandior, do, for our own part, as well as on behalf of the rest of our tribe, bind ourselves to a faithful performance of the following treaty; and agree that the penalty of Rs. 1,100 inflicted on us for our past offences shall be paid to Government without any further excuse; that we, "Sweri" and "Paitao," will fulfil all the conditions agreed to by



other tribes in treaty with the British Government, and at this time request that Government would permit our tribe to have free passage to and from British territory.

We agree—

(1) that if any member of our tribe shall commit any crime within the British territory, he shall receive such punishment as may be deemed proper and we be debarred from intercession;

(2) that if any member of our tribe shall flee to us after having committed a crime within Government territory, he will be treated by us as other tribes do their members who offend;

(3) that if any one shall abduct a woman together with property from British territory to ours, all the property found on him will be restored to Government; that in case he shall deny the bringing away of any property, he shall be made to satisfy Government according to custom; that if any woman shall flee from her relatives because of a family quarrel and seek protection with us, she shall be at once delivered to the jirga that may come to us to demand her;

(4) that if any member of our tribe shall have any claim against a Government subject, we will report the matter to Government for investigation and settlement, that no reprisals or force shall be employed;

(5) that all the conditions that have been agreed upon between Government and other tribes shall be fully performed by us;

(6) that while promising that the two divisions of the tribe of Alisherzai, *vis.*, "Sweri" and "Paitao" shall always act according to this treaty, we beg to offer Shadan Gul and Kalla Khan of Alisherzai, whose lands, &c., are in the Kandi of Barat Qhel in the village of Torawari, within British territory, and Usman Shah (Miyan Khel) as sureties on our part, who will be held responsible for any crimes committed by our tribe.

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*Security Bond No. 1, for the payment of Rs. 1,100.*

We, Maliks Bhangi of Darsamand and Mahmud of Narigal of Bar Miranzai, bind ourselves hereby to the payment of Rs. 1,100 fine, which has been inflicted on the tribe of Alisherzai of Orakzai, within three months of the date of this agreement.

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*Security Bond No. 2, for a faithful performance of the terms of the Treaty.*

We, Shadan Gul and Kalla Khan of the tribe of the Alisherzai, inhabitants of Kandi Barat Khel, in the village of Torawari, in British territory, and Usman Shah (Miyan Khel) hereby are sureties for a faithful performance of all the terms entered in the treaty with the Alisherzais, and will always consider ourselves responsible for any violation of the above treaty.

No. LXII.

TRANSLATION of an AGREEMENT ratified in the presence of MR. W. P. BARTON, C.S., Political Agent, KURRAM, by the REPRESENTATIVES of the ZAIMUSHT and ALISHERZAI TRIBES,—1902.

We do hereby unanimously declare that we acquiesce in the construction of the new Chinarak road from Sadda to Torawari, or Shinawari, which will pass through our limits. We have now no objection whatever thereto. We further bind ourselves to be responsible for the safety of every kind (of the road) within our respective limits. We are ready to perform services to Government at all times; and consequently reduce this agreement to writing, that the British Government is at liberty to construct this road whenever it wishes to do so. In recompense for our services and for the road, it will grant us a reasonable sum in consideration of our services.

*Dated 12th December 1902.*

No. LXIII.

AGREEMENT with the ALI KHEL CLAN.

Whereas Government has been pleased to sanction the grant of a tribal service allowance to the Ali Khel clan on condition of service being rendered in return, we, the undersigned Maliks of the Ali Khel clan, in consideration of the said allowance, do hereby enter into an agreement with Government on behalf of ourselves and of our clan, and bind ourselves and our clan as follows:—

1. That we will be of good behaviour towards Government and be responsible for the safety of any British subject who may enter our limits on a peaceful and innocent errand.

2. That we will allow no passage through our limits of any individuals or tribe for the commission of offences in British territory or the carrying on of hostility with the Government.

3. That we will harbour no outlaw when we have been forbidden by the Deputy Commissioner, Kohat, to allow such outlaw to remain within our limits.

4. That we will do all that is possible to provide recruits for the Samana Rifles when required, and will compel deserters belonging to our tribe to return to that corps.

*The 30th June 1902.*



NO. LXIV.

TRANSLATION of AGREEMENT with the MALLA KHEL  
CLAN,—1903.

Whereas Government has been pleased to sanction the grant of a tribal service allowance to the Malla Khel clan on condition of service being rendered in return, we, the undersigned Maliks of the Malla Khel clan, in consideration of the said allowance, do hereby enter into an agreement with Government on behalf of ourselves and of our clan, and bind ourselves and our clan as follows :—

1. That we will be of good behaviour towards Government and be responsible for the safety of any British subject who may enter our limits on a peaceful and innocent errand.
2. That we will allow no passage through our limits of any individuals or tribe for the commission of offences in British territory or the carrying on of hostility with the Government.
3. That we will harbour no outlaw when we have been forbidden by the Deputy Commissioner, Kohat, to allow such outlaw to remain within our limits.
4. That we will do all that is possible to provide recruits for the Samana Rifles when required, and will compel deserters belonging to our tribe to return to that corps.
5. That we will construct and maintain 3 towers to be situated at places to be subsequently selected to command the route from Saifal darra into British India.

*(Here follow the signatures.)*

R. T. CLARKE,

*Deputy Commissioner, Kohat, Fort Lockhart.*

*The 11th August 1903.*

NO. LXV.

TRANSLATION of an AGREEMENT ratified by all the leading  
REPRESENTATIVES of the ZAIMUSHT TRIBE,—1903.

We, the leading representatives of the Khoedad Khel and Mamazai sections composing the Zaimusht tribe, are very grateful to the British Government for granting to us an annual allowance.

We hereby, on behalf of ourselves and our tribe, agree to be bound by the following terms and conditions :—

1. Our whole tribe will be friendly and loyal to the Government and will be ready, when required, to render any service.

- II. We hold ourselves responsible to make good, according to the desire of the Government, any claims which may arise from offences committed by our tribesmen in British territory.
- III. We hold ourselves responsible for acts within our limits, which may produce insecurity in British territory, causing displeasure to Government, and we agree to put the matters to rights.
- IV. We will never give an opportunity to the bad characters and mischievous people of other tribes to pass through our country, for the purpose of committing offences in British territory.
- V. We agree that the refugees who are at present living with us will on no account be allowed to create mischief in British territory, and that in future we will not give an asylum to outlaws from British territory.

We have therefore written out this statement, giving the terms, so that it may remain with the Government as a "sanad."

(Sd.) S. WATERFIELD,  
*Political Agent, Kurram.*

*Dated 30th January 1903.*

## NO. LXVI.

### TREATY with the TURIS, dated 9th March 1853.

We, the above-mentioned Maliks, request the release of our prisoners who had been confined by order of Captain Coke, Deputy Commissioner of Kohat, contingent on the performance of the following terms contained in the treaty:—

1. We, the five tribes, Hamza Khel, Mastu Khel, Doparzai, Alizai, and Ghundi Khel, deliver to Government four men of position with their families as hostages for the restoration of order and the continuance of peace in the territory under the rule of Khwaja Muhammad Khan; that these hostages will, with permission of Government, return to us on being relieved by an equal number; that if any member of our tribe shall hereafter commit theft, robbery, or murder within the territories of the British Government, we will all be culpable and responsible, and Government may in such a case proceed against our hostages.

2. That with a view to maintaining peace and good order in the Hangu territory, under Ghulam Hyder Khan, the following Maliks of Mandra Khel, *vis.*, Moman, Darwan and Tarsam, stand sureties on our part and be held responsible for any crime committed by our tribe; that all property and cattle which have been carried off by us from Teri, Muhammad Khwaja, and the Khattak ilaqa will be returned to their owners according to decision of Khwaja Muhammad Khan (Rais of Teri) and Ghulam Haidar Khan of Hangu; that



for the restoration of the above-mentioned property, &c., the same Maliks of Kahi, Mandra Khel, have become sureties on our part; that with respect to the restoration of property belonging to the tribe of Khattak, we have Khwaja Muhammad Khan (Rais of Khattak) and Malik Salim of Dallan that it will be restored.

3. That we request Government to issue orders to the people of Dallan to restore to us the property that has been awarded us by the arbitrators, and we offer this written agreement as a sanad or deed for the performance of the above terms.

### No. LXVII.

#### TREATY with the TURIS, dated 12th May 1855.

Whereas the British Government has, because of the restoration of seven bullocks and one girl, carried off by us from the village of Dallan, pardoned our past crimes and promised to release the prisoners of our tribe sent to Lahore, and to release our mules with their loads, which were seized at Nariyab, we, the above-named persons, bind ourselves to a faithful performance of the terms detailed in the subjoined treaty:—

(1) that no member of our tribe shall hereafter commit any crime within British territory;

(2) that if any member of a tribe at enmity with us should commit crime, he is liable to receive punishment from Government;

(3) that we will never permit such a section to commit a raid on British territory, and that in case we are powerless to prevent such a raid, we will inform the Maliks of the village threatened.

### No. LXVIII.

#### TREATY with the TURI TRIBE, dated 3rd December 1869.

We (*here follow the names of the headmen of the various sections*) Maliks of the Turi tribe, having been summoned before the Deputy Commissioner of Kohat at Thall, for the adjustment of differences between our tribe and the Wazirs, do agree to the following settlement:—

*(Here follow 5 clauses of temporary effect.)*

6. We bind ourselves in future not to molest the Wazirs in British territory, nor will we permit any member of our tribe to pass through British territory, either going or returning, on plundering excursions against the Wazirs in independent territory.

The British boundary shall be as follows:—

*On the North*, from Cheodokot, along the hills known as "Kohi Khadimukh," Mamut Lattak, and Lattawali to the Zaimusht village of Adhmela.

*On the West*, the river Kurram.

*On the South*, the Khaureh Algad, the extreme boundary of the Muhammadzai village.

7. Should any member of our tribe commit a breach of this or any other agreement entered into with the Government, we will enforce any penalty that may be imposed on the offender.

8. In future should any member of our tribe have any claim against the Wazirs for any breach of the conditions now entered into by them and our tribe, we will prefer the same to the Government official within one month of the date of the occurrence. If we fail to do so, we shall not be permitted to bring forward the claim at any future period.

*(Here follow the signatures of the headmen of the Turi Firga.)*

## No. LXIX.

TRANSLATION of a copy of a letter from MAJOR CONOLLY, to the AMIR of KABUL, dated 3rd September 1880.

*After compliments.*—I transmitted the translation of Your Highness' letter to the Government of India, which has ordered me to reply to Your Highness as follows:—

"I have understood and communicated what Your Highness wrote regarding your cordiality towards the British Government, the wise and friendly arrangements about the frontier and the frontier tribes, and other matters. It is well known to Your Highness that in the letters addressed to Your Highness, to Turkistan, by the British authorities at Kabul, it was said that it was impossible to discuss the treaty made with the ex-Amir, Muhammad Yakub Khan, in respect to the north-western frontier (of India). And it was assumed that Your Highness had thoroughly understood the ideas expressed in those letters regarding the frontier districts occupied (by Government). Therefore the province of Kuram cannot be included in those cities (provinces), which the British Government admitted and acknowledged as the dependencies of the kingdom of Kabul.

With regard to the Turis inhabiting the Kuram valley, Government has decided that they should not, according to the engagement made (with them) some time ago, be placed under Your Highness; and that their independence conformably to their wish should be maintained.

With respect to Hariab, which is beyond the Peiwar Kotal to the west, although it is, no doubt, also included in the districts occupied, the British Government, out of regard for Your Highness' friendship, and with a view to strengthen your kingdom and also deeming it fit to let the Jajis (who



inhabit that district) be under the government of an ally, has relinquished the said Jaji "ilaka" of Hariab to Your Highness. Arrangements for transferring the government (of that "ilaka") to Your Highness' agents will be made when the British troops come down from the Kotal.

Further, this letter has been addressed from the British Government through Major-General Watson, C.B. and V.C., the Officer in command of the British Force in Kuram, and signed by Major Arthur Conolly, the Political Officer of Hariab."

PROCLAMATION issued to the MALIKS and people of the Turi tribe in KURAM.

I, Major-General John Watson, Commanding the British Troops in the Kuram valley, am instructed to announce to the maliks and people of the Turi tribe that the British Government intends to withdraw its forces very shortly across the border.

Under these circumstances, it has become necessary to make some arrangement for the future administration of the district, and the matter has been considered with an earnest desire to meet, as far as possible, the wishes of the people. The British Government understands that the Turi tribe desire their country to be made independent. Consequently, I have now to announce that the British Government recognises their independence, and, so long as the Turis desire it, will regard their country as having no connection with the Amir of Kabul.

Regarding the internal administration of the district and its protection against neighbouring independent tribes, the British Government does not wish to interfere, and the Turis will be left free to make their own arrangements. In this matter also the British Government believes that it is consulting the interests of the tribe.

In return for its recognition and support the British Government requires that the Turi tribe shall conform in all respects to any advice which may be given them at any time on behalf of that Government.

(Sd.) JOHN WATSON, *Major-General*.

NO. LXX.

AGREEMENT, dated the 25th February 1903, with the SAMIL MASSUZAI TRIBE on the KURRAM BORDER.

We are grateful to the British Government for their having sanctioned an allowance for us, and we consequently on behalf of ourselves and the youngers of our tribe agree to be bound by the following terms:—

- (1) We will maintain friendly relations with the British Government and will be ready when required to render any service.

- (2) We hold ourselves responsible to make good according to the desire of the Government any claims which may arise from offences committed by any member of our tribe in British territory.
- (3) We hold ourselves responsible for acts within our limits, which may produce insecurity and we agree to put the matters to rights.
- (4) We will never give an opportunity to the bad characters and mischievous people of other tribes to pass through our country for the purpose of committing crimes in British territory, and should they so pass, we will be responsible.
- (5) We agree that the outlaws who are at present living with us will on no account be allowed to create mischief in British territory, and that in future we will not give an asylum to outlaws from British territory.

We have therefore written this statement, giving the terms, so that it may remain with the Government as a "Sanad."

*(Here follow the signatures.)*

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### NO. LXXI.

#### TRANSLATION of an AGREEMENT ratified by all the LEADING REPRESENTATIVES of the DILMARZAI SECTION of the GARA MASSUZAI TRIBE on the 13th April 1903.

We are grateful to the British Government for the restoration of our allowances to us, and we therefore on behalf of ourselves and of our tribe agree to be bound by the following terms:—

- (1) We shall hereafter maintain friendly relations with the British Government for ever and will be ready when required to render any service.
- (2) We hold ourselves responsible to make good according to the desire of the Government any claims which may arise from offences committed by any member of our tribe in British territory.
- (3) We hold ourselves responsible for acts within our border which may produce insecurity in British territory and we agree to put the matters to rights.



- (4) We will never give an opportunity to the bad characters and mischievous people of other tribes to pass through our country for the purpose of committing crimes in British territory, and should they so pass, we will be responsible.
- (5) We agree that the outlaws who are at present living with us will on no account be allowed to create mischief in British territory, and that in future we will not give an asylum to outlaws from British territory.

We have, therefore, written out this statement, giving terms, so that it may remain with the Government as a "Sanad."

*(Here follow the signatures.)*

### No. LXXII.

TRANSLATION of an AGREEMENT made by the ELDERS of the MASTU KHEL SECTION of the GARA MASSUZAI on the 13th October 1904.

We are grateful to the Government for restoring our allowance to us, and we therefore hereby on behalf of ourselves and our tribe agree to be bound by the following terms and conditions:—

- (1) We agree to abandon all claims to cesses, dues and tolls which in former years we used to realize in Kurram.
- (2) We will hereafter maintain friendly relations with the Government for ever and will be ready when required to render any service.
- (3) We hold ourselves responsible to make good, according to the desire of the Government, any claims which may arise from offences committed by any member of our tribe in British territory.
- (4) We hold ourselves responsible for acts within our limits, which may produce insecurity in British territory, and we agree to put the matters to rights.
- (5) We will never give an opportunity to the bad characters and mischievous people of other tribes to pass through our country for the purpose of committing offences in British territory, and should they so pass, we will be responsible.
- (6) We agree that the refugees who are at present living with us will on no account be allowed to create mischief in British territory, and that in future we will not give an asylum to outlaws from British territory.

We have therefore written out this statement, giving the terms, so that it may remain with the Government as a "Sanad."

*(Here follow the signatures.)*

No. LXXIII.

AGREEMENT of the headmen of the KABAL KHEL WUZEEREES.

I, Mahomed Malik of the Khojal Khel tribe, son of Purdil Vazir, make this agreement with the Deputy Commissioner of Kohat, that if the Sirkar is pleased to release the 17 men of the Kabal Khel and Gangi Khel tribe of Vaziris, who have been seized in consequence of the raids of these tribes, I will make good the amount of cattle stolen from the subjects of the British Government, amounting to Rupees 1,033.

If after this these tribes should commit any further acts of plunder, I make myself answerable to restore the property itself, if it can be traced to the Vaziri country; if it can be proved that the property has been stolen by the tribes, but cannot be traced, I will make good the amount in money. If the property cannot be traced or proved, I will then, if the Vaziris are suspected by the Government ryots, bring the suspected parties to the Sirkar's court to answer to the complaint of the Government servants, when, if proved, the property shall be made good.

The amount sale of camels and cattle now in the Government treasury, Rupees 800-11-0, to be applied to the liquidation of the property stolen; the remainder, Rupees 233-1-0, will be paid to the maliks of Nahar to indemnify them for their loss.

I ask on the part of the Vazir that the Deputy Commissioner will issue a 'parwana' allowing us to trade with the salt mines without fear of being seized.

No. LXXIV.

AGREEMENT of the headmen of the KABAL KHEL WUZEEREES.

We, the undersigned Maliks of the Kabal Khel tribe of the Vaziris named Naorang, Lal Khan, Rahmat Shah, Daoran, Gulraz and Malang of the Miami Section, Pirzada and Pan of the Paipali Section, Mula Abdur Rahim, Salih Pir, Akbardin and Barat of the Saifali Section, and Bangi and Husen of the Malikshahi Section, now present before Lieutenant Cavagnari, Deputy Commissioner of Kohat, appear on behalf of the Kabal Khel and solicit pardon from the British Government for the raid on Thal committed by certain members of our tribe; and we hereby agree to bind ourselves to the performance of the terms demanded from us by the Government, which are as follows:—

1st.—A fine of Rupees 2,000 having been imposed on the Kabal Khel tribe, we promise to pay the same at Hangu within three days from the date of this agreement, and as a guarantee of our good faith on this point, we give the Maliks of the Zaimukht, the Maliks of Biland Khel, and Malik Mahamad, Khojal Khel, Vazir, as sureties for the payment of the said fine within the stipulated period.



2nd.—Whereas the men of Thal paid 1,500 Kabali rupees to certain members of our tribe as ransom money for cattle carried off in the raid, we bind ourselves to pay that amount within 30 days' time. The money to be paid subject to the oath of twelve elders of Thal, whom we have named to swear to the amount paid as ransom money to our tribe.

3rd.—Whereas the Government has valued the Thal cattle carried off in the raid at 10 Rupees per head of kine and 2 Rupees per head of sheep and goats, whether the same be young or old, male or female, we agree to pay the sum of Rupees 5,286 on account of compensation according to the statement of the men of Thal, subject to the oath of Thal elders according to the Pathan custom. Such cattle as have been retained by members of our tribe shall be paid for in 30 days' time, and the balance carried off by the Tazi Khel Vaziris shall be compensated for in 90 days' time. We agree to the responsibility laid upon us to recover the same from the Tazi Khel.

4th.—As a guarantee of our good faith in the performance of the terms of this agreement, we give the undermentioned men of our tribe as hostages to remain at Kohat during the pleasure of the Government, and to be dealt with as may be ordered in the event of any breach of faith on the part of our tribe.

5th.—The hostages are also a guarantee on the part of the Kabal Khel that no further act of hostility will be committed by that tribe in British territory, until the pending cases between the Vaziris and Tunis shall have been brought under settlement.

### NO. LXXV.

#### AGREEMENT of the headmen of the SAIFALI KHEL WUZEEREES.

We, Malikdin, etc., and 38 others, being the whole Jirga of the Saifali in person, on our own part, and as representing it on the part of the whole tribe of Saifali, having presented ourselves with our own free will and accord before Captain J. W. H. Johnstone, Deputy Commissioner of the district of Banu, through Khan Bahadur Mahomed Hyat Khan, petition for and agree to the following conditions.

Whereas certain persons of our tribe used for the purposes of trade to purchase at cheap rates stolen property belonging to British subjects, and for that reason our tribe was under the displeasure of and criminal in the eyes of the British Government; therefore to get pardon for our former misdeeds, we, being the heads of our tribe, according to the custom of 'Nanawat' or otherwise, throwing ourselves on its mercy, have brought 40 sheep of the value of Rupees 200, and 10 camels, value Rupees 800, by way of peace-offering, and we pray that this peace-offering and fine be

accepted, and we be forgiven, and for the future we agree to the following terms:—

*1st.*—No member of our tribe shall commit in British territory any heinous offence, such as murder, robbery, etc., and we will, in so far as we can, check the thieves of our tribe, and if any member should bring any stolen property from British territory, we will cause it to be returned, or the whole tribe will pay the value thereof.

*2nd.*—We will not receive any property stolen from British territory from any other tribe, or allow it to be kept in our country; and if any one should bring such property into our country we, without the receipt of any ransom, will restore it.

*3rd.*—We will not give shelter to any criminal guilty of a heinous offence, such as a murderer or highway robber, or noted house-breaker absconded from British territory. If we should do so, the Government is at liberty to levy from us whatever fine may be suitable under the circumstances of the case.

*4th.*—We also promise that if any British subjects should make a pursuit into our country for the recovery of stolen property or the apprehension of criminals, we will not interfere with them, and they shall be at liberty to seize the property or criminals anywhere outside our dwelling places and take them away, and we will assist such pursuers.

*5th.*—If any member of our tribe should commit an offence in British territory and be sentenced to punishment according to law, we will not in any way plead or petition for him.

*6th.*—We, in the carrying out of these conditions, are all severally and collectively responsible, all the members of the tribe being responsible severally and collectively for the act of each member of it; and for whatever act which may be contrary to the agreement, the Government is at liberty to punish us, dealing with us as it does with other frontier tribes.

*7th.*—To prove that we have entered into this agreement willingly and seriously, we give as securities for the carrying out of it six persons, Vazir British subjects, and eight persons, Saifalis of Kuram. If we act contrary to our agreement, these persons will see that it is carried out.

*Securities of Ahmadsai Vaziris.*

Mani Khan . . . . .	Spirkai.
Momit . . . . .	Khojal Khel.
Jumraz . . . . .	Mahamad Khel.

*Securities of Umarasai Vaziris.*

Barak Khan . . . . .	Baka Khel.
Nipal Khan . . . . .	Jani Khel.
Povandah Khan . . . . .	Malik Shahi.



*Securities of Kuram.*

Malik Din and Kustor . . . .	Musa Khan Khel.
Kuzzadir and Momit . . . .	Ditto.
Sohai and Narkum . . . .	Isakhel.
Bozuk and Ghulla . . . .	Buda Khel.

The securities of British territory bind themselves for the period of one year. For the future our whole tribe binds itself to this agreement for ever.

8th.—Finally, we request that if it so happens that a member of our tribe should, contrary to this agreement, commit a crime against a British subject, and we prove that we, without the assistance of Government, cannot properly coerce him, then the Government, so far as it sees good, will assist us in coercing him or them.

## No. LXXVI.

## MADDA KHEL FINAL SETTLEMENT,—1901.

The Government of India having granted an allowance of Rs. 150 per mensem to the Madda Khel tribe subject to the conditions of good conduct, loyalty and service in undertaking responsibility for the routes through Madda Khel country from the Tochi to Afghan territory; and also of good behaviour towards their neighbours in Afghan limits; Rs. 30 of such allowance being left in the hands of the Political Officer, Tochi, to distribute among leading men of the tribe, as may appear to him right and expedient; Government of India having also promised an increase of Rs. 75 per mensem to the allowance, if and when posts are placed in their country:

We, the full and representative jirga of the Madda Khel tribe, both Ger and Kazha, do say that we have heard and understood the conditions imposed, and do fully and unreservedly promise that the tribe will abide by the same, and be answerable to Government for any breach. We do also accept full and complete tribal responsibility for the hostile acts or misbehaviour of any individual or section of the tribe, and will be tribally answerable to Government for the same if called upon. In the event of any misunderstanding arising between ourselves and any of the inhabitants of the Afghan side of the border, we will at once seek the advice of the Political Officer, Tochi, whose advice we promise to follow.

The allowance of Rs. 120 per mensem now given us by Government we agree to divide as follows:—

Half the allowance to be allotted to the Ger Madda Khel and half to the Kazha Madda Khel. The internal distribution among these two main parties to be carried out according to the attached distribution statement, which has been written down in our presence, which we thoroughly understand, and which we bind ourselves to adhere to.

On being summoned by the Political Officer to receive the allowances, we will either attend as a full jirga, or send in the men whose names we have given to the Political Officer, who will receive the allowance for their respective sub-sections.

The above terms were unanimously agreed to by the full jirga, *nem. con.*, in my presence. The seals and marks of over 200 men are affixed to the Vernacular translation.

DATTA KHEL :	}	C. P. DOWN, <i>Captain,</i>
<i>The 7th October 1901.</i>		<i>Political Officer, Tochi.</i>

### No. LXXVII.

TRANSLATION of an AGREEMENT made by the TORI KHEL, MOHMIT KHEL, TITI MADDA KHEL, HASSAN KHEL and MADDA KHEL for the opening of the IDAK-SPINWAM-THAL and BANNU-SPINWAM routes with the Government of India.

We the "Maliks" and "Mutabars" (headmen) of the *Tori Khel, Mohmit Khel, Titi Madda Khel, Hassan Khel and Madda Khel* do hereby bind ourselves and our tribe, in consideration of the allowances hereinafter specified to be paid by Government, to open and to safeguard such routes as Government determine shall pass through our country; and in addition agree to the following four conditions which have been laid down about those routes:—

*First*, that Government will be at liberty to construct a post or posts on any road or roads that may be opened.

*Secondly*, that Government will be at liberty, if necessary, at any time to hold the road or roads by Military force or Militia; or that Government may at any time move troops up and down the said road or roads.

*Thirdly*, that Government may select any route or alignment for the road or roads agreed to which appears suitable and may alter such route or alignment at their pleasure.

*Fourthly*, that it will also be the right of Government, if at any time they desire it, to make a railroad through our country and we shall make no objections.

We have heard and understood all these conditions. We all entirely agree to these conditions and accept them.



In consideration of this agreement Government will give us the following allowances :—

1. On account of the road or roads from *Idak to Thal*, passing through our limits, *Rs. 3,000*.
2. On account of the road or roads from *Spinwam to Bannu*, *Rs. 924*.  
We submit the agreement duly attested and sealed by us.

*(Here follow the signatures.)*

E. KNOLLYS, *Captain,*  
*Officiating Political Agent.*

TRANSLATION of an AGREEMENT made by the KABUL KHEL, BILAND KHEL and MADDI KHEL CLANS for the opening up of the THAL-IDAK and THAL-BANNU (*via* Drazanda) routes with the Government of India.

We the "Maliks" and "Mutabars" (headmen) of the *Kabul Khel, Biland Khel and Maddi Khel* do hereby bind ourselves and our tribe, in consideration of the allowances hereinafter specified to be paid by Government, to open and to safeguard such routes as Government determine shall pass through our country; and in addition agree to the following four conditions which have been laid down about these routes :—

*First*, that Government will be at liberty to construct a post or posts on any road or roads that may be opened.

*Secondly*, that Government will be at liberty, if necessary, at any time to hold the road or roads by Military force or Militia; or that Government may at any time move troops up and down the said road or roads.

*Thirdly*, that Government may select any route or alignment for the road or roads agreed to which appears suitable, and may alter such route or alignment at their pleasure.

*Fourthly*, that it will also be the right of Government, if at any time they desire it, to make a railroad through our country and we shall make no objections.

We have heard and understood all these conditions. We all entirely agree to these conditions and accept them. \*

In consideration of this agreement Government will give us the following allowances :—

1. On account of the road or roads from *Thal to Idak* passing through our limits, *Rs. 3,000 per annum*.

2. On account of the road or roads from *Thal to Bannu via Drasanda*, passing through our limits, *Rs. 1,000 per annum.*

We submit the agreement duly attested and sealed by us.

*(Here follow the signatures.)*

Signed in my presence after fully understanding the conditions.

THAL:	}	(Sd.) D. DONALD,
<i>The 8th April 1904.</i>		<i>Commandant, Border Military Police.</i>

TRANSLATION of an AGREEMENT made by the UMARZAI WAZIR clan for the opening of the BANNU-THAL route with the Government of India.

We the "Maliks" and "Mutabars" (headmen) of the *Umarzai of the Bannu District and Independent Territory* do hereby bind ourselves and our tribe, in consideration of the allowances hereinafter specified to be paid by Government, to open and to safeguard such routes as Government determine shall pass through our country; and in addition agree to the following four conditions which have been laid down about these routes:—

*First*, that Government will be at liberty to construct a post or posts on any road or roads that may be opened.

*Secondly*, that Government will be at liberty, if necessary, at any time to hold the road or roads by Military force or Militia; or that Government may at any time move troops up and down the said road or roads.

*Thirdly*, that Government may select any route or alignment for the road or roads agreed to which appears suitable and may alter such route or alignment at their pleasure.

*Fourthly*, that it will also be the right of Government, if at any time they desire it, to make a railroad through our country and we shall make no objections.

We have heard and understood all these conditions. We all entirely agree to these conditions and accept them.

In consideration of this agreement Government will give us the following allowance:—

On account of the road or roads from *Bannu to Thal*, passing through our limits, *Rs. 50 per annum.*

We submit the agreement duly attested and sealed by us.

BANNU:	}	<i>(Here follow the signatures)</i>
<i>The 2nd April 1904.</i>		



TRANSLATION of an AGREEMENT made by the SPERKA WAZIR clan for the opening of the BANNU-THAL route with the Government of India.

We the "Maliks" and "Mutabars" (headmen) of the *Sperka of the Bannu District and Independent Territory* do hereby bind ourselves and our tribe, in consideration of the allowances hereinafter specified to be paid by Government, to open and to safeguard such routes as Government determine shall pass through our country; and in addition agree to the following four conditions which have been laid down about these routes:—

*First*, that Government will be at liberty to construct a post or posts on any road or roads that may be opened.

*Secondly*, that Government will be at liberty, if necessary, at any time to hold the road or roads by Military force or Militia; or that Government may at any time move troops up and down the said road or roads.

*Thirdly*, that Government may select any route or alignment for the road or roads agreed to which appears suitable and may alter such route or alignment at their pleasure.

*Fourthly*, that it will also be the right of Government, if at any time they desire it, to make a railroad through our country and we shall make no objections.

We have heard and understood all these conditions. We all entirely agree to these conditions and accept them.

In consideration of this agreement Government will give us the following allowance:—

On account of the road or roads from *Bannu* to *Thal*, passing through our limits, *Rs. 75 per annum*.

We submit the agreement duly attested and sealed by us.

BANNU :

The 2nd April 1904.

}

(Here follow the signatures.)

TRANSLATION of an AGREEMENT made by the MUHAMMAD KHEL WAZIR clan for the opening of BANNU-SPINWAM and BANNU-THAL routes with the GOVERNMENT OF INDIA.

We the "Maliks" and "Mutabars" (headmen) of the *Muhammad Khel of the Bannu District and Independent Territory* do hereby bind ourselves and our tribe, in consideration of the allowances hereinafter specified to be paid by Government, to open and to safeguard such routes as Gov-

ernment determine shall pass through our country; and in addition agree to the following four conditions which have been laid down about these routes:—

*First*, that Government will be at liberty to construct a post or posts on any road or roads that may be opened.

*Secondly*, that Government will be at liberty, if necessary, at any time to hold the road or roads by Military force or Militia; or that Government may at any time move troops up and down the said road or roads.

*Thirdly*, that Government may select any route or alignment for the road or roads agreed to which appears suitable and may alter such route or alignment at their pleasure.

*Fourthly*, that it will also be the right of Government, if at any time they desire it, to make a railroad through our country and we shall make no objections.

We have heard and understood all these conditions. We all entirely agree to these conditions and accept them.

In consideration of this agreement Government will give us the following allowances:—

1. On account of the road or roads from *Bannu to Spinwam*, passing through our limits, *Rs. 250 per annum*.
2. On account of the road or roads from *Bannu to Thal*, passing through our limits, *Rs. 25 per annum*.

We submit the agreement duly attested and sealed by us.

BANNU: }  
*The 2nd April 1904.* } (*Here follow the signatures.*)

TRANSLATION of an AGREEMENT made by the BIZEN KHEL  
WAZIR clan for the opening of BANNU-THAL route with the  
GOVERNMENT OF INDIA.

We the "Maliks" and "Mutabars" (headmen) of the *Bizen Khel* of the *Bannu District and Independent Territory* do hereby bind ourselves and our tribe, in consideration of the allowances hereinafter specified to be paid by Government, to open and to safeguard such routes as Government determine shall pass through our country; and in addition agree to the following four conditions which have been laid down about these routes:—

*First*, that Government will be at liberty to construct a post or posts on any road or roads that may be opened.



*Secondly*, that Government will be at liberty, if necessary, at any time to hold the road or roads by Military force or Militia; or that Government may at any time move troops up and down the said road or roads.

*Thirdly*, that Government may select any route or alignment for the road or roads agreed to which appears suitable and may alter such route or alignment at their pleasure.

*Fourthly*, that it will also be the right of Government, if at any time they desire it, to make a railroad through our country and we shall make no objections.

We have heard and understood all these conditions. We all entirely agree to these conditions and accept them.

In consideration of this agreement Government will give us the following allowance :—

On account of the road or roads from *Bannu to Thal*, passing through our limits, *Rs. 50 per annum*.

We submit the agreement duly attested and sealed by us.

*(Here follow the signatures.)*

*Dated the 6th April 1904.*

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TRANSLATION of an AGREEMENT made by the KHUNIA KHEL  
for the opening of the BANNU-THAL ROUTE with the GOV-  
ERNMENT of INDIA.

We the "Maliks" and "Mutabars" (headmen) of the *Khunia Khel of Independent Territory* do hereby bind ourselves and our tribe, in consideration of the allowances hereinafter specified to be paid by Government, to open and to safeguard such routes as Government determine shall pass through our country; and in addition agree to the following four conditions which have been laid down about these routes :—

*First*, that Government will be at liberty to construct a post or posts on any road or roads that may be opened.

*Secondly*, that Government will be at liberty, if necessary, at any time to hold the road or roads by Military force or Militia; or that Government may at any time move troops up and down the said road or roads.

*Thirdly*, that Government may select any route or alignment for the road or roads agreed to which appears suitable and may alter such route or alignment at their pleasure.

*Fourthly*, that it will also be the right of Government, if at any time they desire it, to make a railroad through our country and we shall make no objections.

We have heard and understood all these conditions. We all entirely agree to these conditions and accept them.

In consideration of this agreement Government will give us the following allowance:—

On account of the road or roads from *Bannu to Thal*, passing through our limits, *Rs. 100 per annum*.

We submit the agreement duly attested and sealed by us.

BANNU: }  
The 2nd April 1904. } (Here follow the signatures.)

# TRANSLATION of an AGREEMENT made by the KHUJAL KHEL for the opening of the BANNU-THAL route with the GOV- ERNMENT of INDIA.

We the "Maliks" and "Mutabars" (headmen) of the *Khujal Khel of the Bannu District and Independent Territory* do hereby bind ourselves and our tribe, in consideration of the allowances hereinafter specified to be paid by Government, to open and to safeguard such routes as Government determine shall pass through our country; and in addition agree to the following four conditions which have been laid down about these routes:—

*First*, that Government will be at liberty, to construct a post or posts on any road or roads that may be opened.

*Secondly*, that Government will be at liberty, if necessary, at any time to hold the road or roads by Military force or Militia; or that Government may at any time move troops up and down the said road or roads.

*Thirdly*, that Government may select any route or alignment for the road or roads agreed to which appears suitable and may alter such route or alignment at their pleasure.

*Fourthly*, that it will also be the right of Government, if at any time they desire it, to make a railroad through our country and we shall make no objections.

We have heard and understood these all conditions. We all entirely agree to these conditions and accept them.



In consideration of this agreement Government will give us the following allowance :—

On account of the road or roads from *Bannu to Thal*, passing through our limits, *Rs. 100 per annum*.

We submit the agreement duly attested and sealed by us.

BANNU:

The 2nd April 1904. }

(Here follow the signatures.)

TRANSLATION of an AGREEMENT made by the GANGI KHEL  
WAZIR CLAN for the opening of the BANNU-THAL ROUTE  
with the GOVERNMENT of INDIA.

We the "Maliks" and "Mutabars" (headmen) of the *Gangi Khel of Independent Territory* do hereby bind ourselves and our tribe, in consideration of the allowances hereinafter specified to be paid by Government, to open and to safeguard such routes as Government determine shall pass through our country; and in addition agree to the following four conditions which have been laid down about these routes :—

*First*, that Government will be at liberty to construct a post or posts on any road or roads that may be opened.

*Secondly*, that Government will be at liberty, if necessary, at any time to hold the road or roads by Military force or Militia; or that Government may at any time move troops up and down the said road or roads.

*Thirdly*, that Government may select any route or alignment for the road or roads agreed to which appears suitable and may alter such route or alignment at their pleasure.

*Fourthly*, that it will also be the right of Government, if at any time they desire it, to make a railroad through our country and we shall make no objections.

We have heard and understood all these conditions. We all entirely agree to these conditions and accept them.

In consideration of this agreement Government will give us the following allowance :—

On account of the road or roads from *Banu to Thal*, passing through our limits, *Rs. 50 per annum*.

We submit the agreement duly attested and sealed by us.

BANNU :

The 6th April 1904.

} (Here follow the signatures.)

### No. LXXVIII.

AGREEMENT made by the HATHI KHEL, BIZZAN KHEL, UMARZAI, MUHAMMAD KHEL, BAKKA KHEL and JANI KHEL of the DARWESH KHEL WAZIRS in April 1872.

YOUR EXCELLENCY,—In so far as now a map of our lands situated on the boundary of British territory, and showing the boundaries between each of us responsible tribes has been made, and we have by way of attestation put our seals and signatures to the same, we the Maliks and headmen whose names are attached by tribes at the end of this petition, with regard to our responsibility for the frontier included within our respective boundaries, do hereby agree to the following rules, and petition that the Government may be pleased to sanction the same for future observance and guidance. We on our part agree always to abide by them :—

(1) In so far as a rule in front of our lands in British territory the hills out of that territory to some distance belong to us, and for this reason from a long period we have been held responsible for the passes through them, and as that responsibility has not been defined, at times we suffer undeserved hardships; for this reason for the future we present the following agreement. We are responsible for all stolen property taken from British territory to foreign territory by any passes, roads or hills included within our boundaries as defined according to tribes in the map and list hereto attached in this way :—

(a) We are in no way responsible until the Deputy Commissioner of the district has satisfied himself by enquiry that either by the evidence of track or other evidence in truth stolen property has been taken through the bounds for which we are responsible into foreign territory.

(b) When he has thus satisfied himself, then he or any assistant to whom he has given special orders shall summon the headmen of the responsible tribe through whose bounds stolen property has been taken, and shall give them a certain period, whatever may appear fair under the circumstances of the case, with the object that within the period fixed the responsible tribe may recover the stolen property or pay its value according to the estimate of the officer in question, or pay the ransom paid for its recovery if the property is recovered by payment of ransom, or produce the real culprits, or point out for attachment and seizure in British territory property belonging to or members of their tribe, or of that tribe with whom the stolen property is, and will, according to Afghan custom, prove the liability of such person, persons or tribe.



(c) If within the fixed period we have the real criminals or sufficient persons or property of their tribe or of that tribe with which the stolen property is seized in British territory, and prove their liability according to Afghan custom, their compensation will be levied from that person or persons, or tribe, and the responsible tribe will be free.

(d) If within the period fixed the responsible tribe do not recover the stolen property nor produce the criminal, nor have sufficient persons or property of his tribe seized, or are unable to prove their liability, then we will pay the value of the stolen property or the amount of ransom paid for its recovery or fine as the Deputy Commissioner decides, and we will be permitted at any time within three years to produce the criminal or have members of his tribe or property of his tribe, or of that tribe with whom the stolen property is, seized in British territory and be reimbursed our loss and expenses from him or them if we first prove his or their liability according to Wazir custom.

(2) If it is proved that the criminal belongs to the tribe which is responsible for the pass, road or bounds by which the stolen property has been taken to foreign territory, then the Deputy Commissioner may deprive us, so far as he pleases, of all the rights contained in the first condition, and will take the plundered property or its value from responsible tribe.

(3) If the responsible tribe, according to Afghan custom, prove to the satisfaction of the Deputy Commissioner that the stolen property which has been passed through their bounds into foreign territory has been stolen or the theft of it abetted by any British subject or any one resident in British territory, we will be entitled to the same rights with respect to him or them with regard to realization of compensation or production of stolen property as is entered in condition (1).

(4) All we heads of the Wazir tribes do solemnly agree that we will not allow, as far as lays in our power and knowledge, the passage by the roads running through the bounds for which we are responsible, of any outside criminals who may, with bad intent or with intent to robbery or theft or any other crime against the subjects, or against the rule of the British Government, wish to pass openly into British territory, nor will we openly or secretly give them shelter or assistance. If we do, we will agree, on condition of proof, to any punishment the Deputy Commissioner may award, or we will prove our innocence to his satisfaction by oath or otherwise.

(5) We also agree that we will not as far as we know give shelter or assistance, or a passage secretly, to any outside thieves, or allow our tribe to do so.

(6) Whenever we get notice that any thief or band of robbers is carrying off plundered or stolen property from British territory, we will at once pursue along the roads in the bounds for which we are responsible, and will, as far as we can, recover the property, and if any British official joins in the pursuit, we will assist him.

(7) Now we state the mode of decision according to Wazir custom. In the case of any dispute between us responsible tribes or other tribes the



decision will be made in this way: If the responsible tribe state that a certain person is the criminal, or that he belongs to the criminal's tribe, or that in his village or tribe the plundered property has been seen, their decision will be made in one of two ways:—

*First.*—That suspected person or the tribesman of the suspected person who has been seized will clear himself by himself and two other persons of his tribes whomsoever the Deputy Commissioner or the plaintiffs agree to swearing that neither the suspected person nor any other person of their tribe were principals in the crime, nor abettors, nor advisers to it, nor instigated it, nor is the stolen property in their tribe, nor did their tribe receive the property or shelter the criminal. On their doing this, that suspected person or persons or property which has been seized will be released, and the responsible tribe will be liable as if they had made no claim. In the case when the stolen property has been seen with the tribe upon whom claim is made by persons of the responsible tribe, the person or persons of the tribe against whom claim is made will not be entitled to swear, but two persons who saw the property will swear, and the claim will be considered as established; but if the Deputy Commissioner is doubtful, or the defendants dissatisfied, then, in addition to these two witnesses, headmen of the responsible tribe may be selected, and they will be required to swear that the witnesses have not been made up for the occasion. If persons on the part of the responsible tribe have thus sworn, then the claim will be established. If there are no eye witnesses, the defendants will be entitled to swear in the way stated above.

*Second.*—If a person or persons of the responsible tribe are suspected as being the criminals and there is no legal evidence against him or them, he or they and four connections of each selected by the trying officer will swear to the innocence of each, and on their doing so an acquittal will be ordered and the whole tribe will be liable as before, and if the presiding officer considers more evidence is required, he may call on the Malik of the suspected person or persons to swear that he does not know or consider the suspected person or persons to be the criminal or criminals.

*Third.*—In the same way, if any British subject or subjects are suspected of having aided or abetted the crime for which compensation has been taken from the responsible tribe in the case of there not being legal evidence, in the same way it will be required that they and four connections for each person and the Malik swear to the innocence, and then he or they will be entitled to an acquittal, and the responsible tribe will be liable as before.

(8) We clearly understand that if any person or persons, whether subjects of the British Government or foreigners, found guilty in the judicial courts are sentenced according to law, the conditions above do not apply to these cases, but only in those in which legal evidence is not forthcoming, and which it is considered ought to be decided by Wazir custom, by seizure of property, etc.

(9) Finally, we all confidently state that if these rules are sanctioned and carried out, we shall be able fully to discharge our responsibilities, and crime will certainly be reduced, and the punishment of the real criminals



will be an example and warning to others. "Baramta," or what we Wazirs call "*Shaisa*," or seizure of property as a reprisal, is an ancient and well known custom. If worked with discretion, it will not displease any tribe, and will have great advantage.

*Here follow the signatures of the Firgas of the Hathi Khel, Bizzan Khel, Umarzai, Muhammad Khel, Bakka Khel, and Jani Khel.*

### NO. LXXIX.

TRANSLATION of a TREATY or AGREEMENT entered into by the SHANUM KHAİL SECTION of the MUHSOOD WUZEEREE TRIBE with CAPTAIN MUNRO, OFFICIATING DEPUTY COMMISSIONER of BUNNOO, at Bunnoo, on Wednesday, the 19th June 1861.

We, the undersigned, Mulicks of the Shanum Khail Division of the Muhsood Wuzeerees, *vis.*, Peergul Khan, Sahib Khan, Alladad Khan, Kummurdeen Khan, Mairoodeen Khan, Shadee Khan, Said Omeen, Adil Shah, Abbass Khan, Zainoodeen Khan, Soorkummund Khan, Munsuh Khan, Khwaja Meer Khan, Alayar Khan, and Said Meer Khan, for ourselves, and as representing Shere Ali Khan, Poordil Khan, Khodadad and Hossein, other chief Mulicks of the Shanum Khail now absent, being very desirous to conclude a peace with the British Government, do hereby engage as follows :—

1st.—We undertake to maintain friendly relations with the British Government for the future.

2nd.—If any member of the Shanum Khail Muhsood tribe hereafter commit an offence, directly or indirectly, against the British Government, we shall bear the responsibility as a tribe, and the British Government may exact reparation by seizure of our kafilahs, or otherwise as may be deemed requisite.

3rd.—Should any member of either of the two other main divisions of the Muhsood, *vis.*, the Alizyes or Behlolzyes, be guilty of committing an offence within British bounds, he shall not receive aid or shelter from us, neither shall he be allowed to deposit any stolen property in our territory.

4th.—In like manner we promise not to afford shelter to absconded offenders from British territory, whether British subjects or members of other tribes, and especially do we undertake that Khwaja Hawes, Momrez, Deen, and Yar Gool, four of the absconded murderers of the late Captain Mecham, be not permitted to reside or take shelter within Shanum Khail limits.

5th.—We hold ourselves answerable that there shall be no attacks made by the tribe in strength, nor any open violence by armed men within Government limits. With regard to thefts, we cannot in the same manner guarantee

that none shall occur ; but we will use our utmost endeavours to repress such, and whenever injury has been inflicted within Government bounds by any member of our section, such as murder, theft, incendiarism, etc., the British Government shall be at liberty to indemnify itself from our kafilahs of merchandize, according to the following scale :—

	Rs.
For blood . . . . .	600
For a wound or blow causing the loss of a limb, or injury equal to it . . . . .	200
<i>For slight wound.</i> —According to estimated injury.	

*For incendiarism or other injury.*—According to extent of damage done.

6th.—As a guarantee of our good faith, we will place two hostages from our section of the tribe, one with his family and one without, in the hands of Government, to be lodged either at Tank or Bunnoo, as Government may direct, for the space of one year from this date. If, in the course of that year, no injury or offence is committed by the Shanum Khail Section of the Muhsoods in Government territory, the hostages will be entitled to release at the expiry of the prescribed period. In the event of the occurrence of any breach, or of the committal of any offence for which reparation has not already been provided in this Treaty, the release or detention of the hostages will be at the pleasure of the British Government.

Having, as delegates from the Shanum Khail Section of the Muhsood Wuzerees, undertaken to abide by the above conditions, we each and all attach our marks to the paper of Agreement, and trust the Government will accept this covenant on our parts.

*(Here follow the marks or signatures.)*

### SUPPLEMENTARY MEMORANDUM.

The agreement of which the above is a translation was signed and sealed at Bunnoo on the 19th June 1861 before me. Nawab Shah Newaz, Khan of Tank, and Sooltan Mahmood Khan, Tehseeldar, being also present, all the Muhsoods assembled in "jeerga" or council spontaneously repeating the Mahomedan Creed both before and after the signature. The document was attested by the Commissioner of the Derajat Division at Bunnoo, on the 27th June 1861.

Similar Agreements were entered into at the same time and place by the Alizye and Behlolzye Sections of the Muhsoods, the former being represented by Mullick Oomer Khan, Yaruck Khan, Peergool, Muteen Raz Mahomed, Ali Khan, Shoojab, Wilayut Khan, Tootee Khan, Duduck Khan,



Sohun Khan, Zurai Khan, Walle Khan, Goolan, Ghurnee Gool, Ali Hybut, Baidul, Meer Khuk Gool Shah, and the latter by Mullicks Taj Mahomed, Latee Khan, Larsur Khan, Yar Mahomed, Mushuk, Gudhee, Hodee Khan, Hatim, Burkhoordar Dooranee Khan, Shukkur Khan Bhoojar, Mehrat, Khwoja Ahmed, Budha, Kuliundur Shah, Nana Dullai, in person, and as delegates from Zuber dust and Said Khan, Bhuttee Nubbee, Ikhlass, Shahbaz, Futteh Khan and other absent Mullicks of the Behlolzyes.

It was moreover ruled that the six hostages (two from each section) should each be either the son, brother, or nephew of a Mullick, and that three of the hostages should be lodged at Bunnoo and three at Tank, receiving subsistence from Government.

(Sd.) A. A. MUNRO, *Lieutenant,  
Officiating Deputy Commissioner.*

### No. LXXX.

TRANSLATION of an AGREEMENT entered into by the SHAMAN KHEL branch of MAHSUD WAZIRS with the BRITISH GOVERNMENT at DERAH ISMAIL KHAN on the 28th April 1873.

We, the undersigned Shaman Khel Malliks,—*viz.*, Zainuldin, Hakim, Wasila, Muna Din, Akhmad, Attal Khan, Khanzam, Sarmast, Makri, Zaffar Khan, Suhbat Khan, Lall Shah Tagai, Amin Khan, Mukhammad Din, Hindustan, Abizar, Bakro, Baz Khan, Muhsin, Danneh, Hajee Muhammad, Dalla Khan, Khadim, Zanjir Khan, Hajee Khan, Mian Khan, Hajee Khan, Meer Ghazab, Saidal, Gor, Ahmad Shah, Allahdesh, Nurai, Said Mir, Khowaja Ahmad, Mirza Futteh Khan, Gulli Shah, Roz Shin, and Saidal Badanzai, Khalli Khel, Chiar Khel and Galisha Shaman Khels, residents of Tangi Maidan, Shahurwalla and Bhangi,—hereby submit to the British Government (with whom our clan has been at enmity for a long time past, and in consequence of which nine of our clan, including Futteh Roz, the son of Mallik Sarmast Khan, Shaman Khel, have been seized and thrown into prison by the British Government) and do hereby engage as follows:—

1.—To maintain friendly relations with the British Government for the future.

2.—To give, as a guarantee of our good faith, 11 of our most influential Malliks and 9 of less note (in all 20) as hostages for location at Derah Ismail Khan (each of the former to receive subsistence allowance at the rate of Rupees 15 per mensem and the latter at 10).

3.—These Malliks, or their brothers or sons, to continue to remain as hostages at Derah Ismail Khan, as Government may order.

4.—To pay a fine of Rupees 3,000 as an indemnity for our past offences in British territory against property, to be levied in the following way, *vis.*, 1,000 rafters for roofing to be delivered at Tank by the clan, and the balance of the fine to be realized on our convoys entering British territory, at the following rates, in the course of two years, half being levied the first year, and the remaining half the next year—

At  $\frac{1}{2}$  anna per bullock.

„ 1 anna per camel.

If the fine be not levied in two years, as above noted, the balance to be recovered from the subsistence allowance of the hostages within each year.

5.—To allow in future no member of our clan to commit any violent act in British territory, such as dacoity, theft, robbery or murder.

6.—That, in the event of crime being committed in British territory by any member of our clan, the property plundered shall be restored by the offender or his section; and in the event of their not restoring the stolen property, the hostages of that section shall be held liable to imprisonment or deportation, with a view to ensuring the return of the said property, etc.

7.—That, in the event of any member of the clan murdering or wounding a British subject with sword, stone, shot, or in any other way, the sum of Rupees 600 may be realized by Government for a murder, and Rupees 300 for wounding, either from the actual offender or his section.

8.—On any offence committed in British territory being imputed to a member of our clan, the Deputy Commissioner shall be at liberty to calling “jirgah” of the clan with a view to a settlement of the offence being effected.

9.—In the event of any member or section of the clan not acting according to the decision of the “jirgah” or order of Government regarding any of the above offences, the hostages of the clan shall be liable to imprisonment and deportation to wherever Government may direct, until the said decision or order be complied with by the clan.

10.—The Galisha sub-division of the clan, having heretofore been at peace with Government and in the enjoyment of free intercourse with British territory, are notwithstanding included in this arrangement, and will be held similarly responsible for any offence: their sub-division may commit in British territory in future. They are, however, in consideration of their past friendship, absolved from paying any portion of the fine imposed on the clan, and are not required to furnish any hostages,—those of the rest of the clan engaging voluntarily to be held responsible for the acts or omissions of the Galishas.

11.—The following are the names of the superior and inferior Malliks of the clan now located at Derah Ismail Khan (permission to be given them every four months to visit their houses on providing substitutes to be approved



of by the Deputy Commissioner, not more than one-third of the hostages to be changed within any four months:—

No.	Name.	Section.	Residence.
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*Superior Malliks.*

1	Mallik Zainuldin	Badanzai	Tangiwalla.
2	Lall Gul	Chiar Khel	Maidanwalla.
3	Wasila	Ditto	Ditto.
4	Mina Din	Khalli Khel	Ditto.
5	Attal Khan	Ditto	Ditto.
6	Hajee	Chiar Khel	Shahurwalla.
7	Sarmast	Ditto	Ditto.
8	Suhbat Khan	Ditto	Bhangiwalla.
9	Hakim Shah	Ditto	Ditto.
10	Muhammad Din	Khalli Khel	Ditto.
11	Hajee Mukhammad	Ditto	Ditto.

*Malliks of Inferior Note.*

1	Baz Khan	Badanzai	Tangiwalla.
2	Muhsin	Ditto	Ditto.
3	Hajee Gul Khan	Khalli Khel	Maidanwalla.
4	Khadim	Ditto	Bhangiwalla.
5	Hajee Khan	Ditto	Ditto.
6	Abizgar	Chiar Khel	Ditto.
7	Hindustan	Ditto	Shahurwalla.
8	Mir Ghazal	Khalli Khel	Bhangiwalla.
9	Saidol	Ditto	Ditto.

12.—Lastly, we do hereby declare that Government is at liberty, in addition to requiring full reparation for any offence committed, to inflict any fine it might think fit on any offender or offenders in the clan, according to the nature of the offence they may have committed in British territory; and in the event of such offender or offenders failing to pay the fine, to levy it from the section he or they belong to, and failing that from the Shaman Khels generally.

We, the undersigned Malliks of the Shaman Khel branch of Mahsud Wazirs, therefore do hereby make this agreement in proof of our sincerity to submit to the British Government, and undertake to abide by the conditions therein contained, and we each and all attach our marks to this agreement.

*(Here follow the marks or signatures.)*

## No. LXXXI.

TRANSLATION of an AGREEMENT entered into by BAHLOLZAI MAHSUD WAZIRS with the British Government at DERAH ISMAIL KHAN on the 26th April 1874.

We the undersigned Malik:—

*Shinghis.*—Nabbi Khan, Mammai Khel; Ahmad Khan, Kharmuch Khel; Azmat Khan, Mammai Khel; Kajir Khan, Kharmuch Khel; Baik Khan, Bai Khel; Wazir Khan, Wajji Khel; Khan Bahadur, Wajjai Khel; Miandad Khan, Bai Khel; Pujab Khan, Azboka; Madakh Khan, Azboka; Fattah Khan, Bablai; Janai Khan, Bai Khel; Mir Salam Karan;

*Nana Khels.*—Laser Khan, Haibat Khel; Kargai, Jalal Khel; Gul Hassan, Jalal Khel; Kamal Khan, Kokri; Amrad Khan, Jalal Khel; Makhal, Haibat Khel; Fattah Roz Khan, Haibat Khel; Bhatti Khan, Haibat Khel; Sher Alli Khan, Kokri; Karrah Khan, Haibat Khel; Hassan Khan, Haibat Khel; Said Amin, Jalal Khel;

*Ahmal Khels.*—Laung Khan, Abdalli; Niazi, Abdalli; Azwani Khan, Abdalli; Mehr Khan, Nazar Khel; Amir Khan, Nazar Khel; Kakat, Nazar Khel; Push, Nazar Khel; Zabar Khan, Mallik Shahi; Shah Maddi, Malik Shahi; Wilayet Khan, Nazar Khel; Dildar Shah, Band Khel; Shah Hussain, Band Khel;

Do hereby declare that we submit to the British Government (with whom our clan has been at enmity for a long time, and in consequence of which many of our clansmen have been seized and thrown into prison by that Government), and do hereby engage as follows:—

1.—To locate, as a guarantee for our future good conduct, 33 representative members of our clan as hostages at Derah Ismail Khan, *vis.*:—

## SHINGHIS.

1. Ranimdad Khan, Mammai Khel.
- 2.—Awal Shah, ditto.
- 3.—Ismail Khan, ditto.
- 4.—Muhib Khan, Kharmuch Khel.
- 5.—Taghrail Khan, ditto.
- 6.—Kazim Wajji Khel.
- 7.—Dadin, Bajji Khel.
- 8.—Saddozi, Azboka.
- 9.—Badin, ditto.
- 10.—Mandar, Bai Khel.
- 11.—Makhal, ditto.
- 12.—Masud Khan, ditto.

## NANA KHEL.

- 1.—Imam Shah, Jalal Khel.
- 2.—Haji Muhammad, ditto.
- 3.—Lalai, ditto.
- 4.—Faujdar, Abdulrahman Khel.

- 5.—Sarrai Khan, Abdulrahman Khel.
- 6.—Madda Khan, Umar Khel.
- 7.—Mir Gul, ditto.
- 8.—Mir Ghazal, Kokrai.
- 9.—Gulzada, ditto.
- 10.—Batkai, Haibat Khel.
- 11.—Haji Muhammad, ditto.
- 12.—Maizan Khan, ditto.

## AHMAL KHEL.

- 1.—Jaimak, Abdalli.
- 2.—Shahdir, Nazar Khel.
- 3.—Sad Rahmat, ditto.
- 4.—Abdulrahman, ditto.
- 5.—Ghazni, Malik Shahi.
- 6.—Ahmad Khan, ditto.
- 7.—Fattah Khan, ditto.
- 8.—Balak, Band Khel.
- 9.—Khan Subah, Syad Khel.



These hostages will be allowed to go home in turn on giving their brothers or sons as substitutes to be approved of by the Deputy Commissioner.

2.—We have paid into the Government treasury Rs. 5,585 as an indemnity for the offences committed by us during the past year, and have also paid Rs. 1,500 in reparation for the late outrage committed by certain members of our clan in the Bain Pass,—total Rs. 7,085.

3.—To pay a fine of Rs. 3,000 as an indemnity for our past offences in British territory against property, to be levied on our convoys entering British territory at the following rates in the course of one year :—

Half-anna per bullock.

One anna per camel.

If the whole of the fine is not realized in the course of one year, as above noted, the balance is to be deducted from the subsistence allowance of our hostages.

4.—That in the event of a predatory crime being committed in British territory by any members of our clan, the property plundered shall be restored by the offender or his section, and in the event of their not restoring the stolen property, the hostages of that section shall be held liable to imprisonment and deportation with a view to ensuring the return of the said property.

5.—That in the event of any member of the clan murdering or wounding a British subject with sword, shot, stone, or in other way, the sum of Rs. 600 may be realized by Government for the above offences, either from the actual offender or from the section to which he belongs.

6.—On any offence committed in British territory being imputed to a member of our clan, the Deputy Commissioner shall be at liberty to call in a "jirga" of the clan with a view to a settlement of the offence being effected, either the real property stolen being restored or a compensation being paid for it.

7.—In the event of any member or section of the clan not acting according to the decision of the "jirga," or order of Government regarding any of the above offences, the hostages of the clan shall be liable to imprisonment and deportation to wherever Government may direct until the said decision or order be complied with by the clan.

8.—Permission to be given to hostages every four months to visit their homes on providing substitutes to be approved of by the Deputy Commissioner. Not more than one-third of the hostages to be changed within every four months.

9.—Members of our clan offending in British territory, if captured, will be punished according to the law.

10.—Government is at liberty, in addition to requiring full reparation for any offence committed in British territory, to inflict any fine it may think fit on any offender or offenders in the clan according to the nature of the offence he or they may have committed, and in the event of such offender or offenders failing to pay the fine, to levy it from the section he or they belong to, and failing that from the whole clan generally.

Branch.	Sub-division.	Sections.	HOSTAGES.	
			No.	Names.
BALOLZAI.	SHINGHIS.	Mammai Khels . . . .	3	Rahimdad.
				Awal Shaw.
				Ismail Khan.
		Kharmuch Khel . . . .	2	Mahib Khan.
				Taghrai.
		Wajji Khel . . . . .	1	Kazim Khan.
		Bajji Khel . . . . .	1	Dadin Khan.
	ABMAL KHEL.	Azboka . . . . .	2	Sabdozi.
				Badin.
		Bai Khel . . . . .	3	Mandar Khan.
				Makhal.
				Masud.
		Total . . . . .	12	
	NANA KHEL.	Abdalli . . . . .	1	Jaimak Khan.
				Shahnewaz Khan.
		Nazar Khel . . . . .	3	Sad Rahmat.
				Abdulrahman Khan.
		Mallik Shahi . . . . .	3	Fatfeh Khan.
				Ghazni Khan.
		Band Khel . . . . .	2	Ahmad Khan.
				Balak.
				Khan Subah.
		Total . . . . .	9	
		Jalal Khel . . . . .	3	Imam Shah.
				Haji Muhammad.
				Lalai.
		Abdulrahman Khel . . . .	2	Fauzdar Khan.
				Sarai Khan.
		Umar Khel . . . . .	2	Madda Khan.
				Mir Gul.
		Kokrai . . . . .	2	Gulzada.
				Mir Ghazal.
		Halbat Khel . . . . .	3	Batkai.
				Haji Muhammad.
				Maizan.
		Total . . . . .	12	
		GRAND TOTAL . . . . .	33	

(Sd.) C. E. MACAULAY,  
*Offg. Deputy Commissioner.*



No. LXXXII.

TRANSLATION of a PETITION presented by the MAHSUD MALIKS to R. I. BRUCE, ESQ., C.I.E., DEPUTY COMMISSIONER at APPOZAI, on 19th January 1890.

We most respectfully beg to represent that, on being summoned by the Government (Sarkar), we, all the Maliks of each of the three sections of the Mahsuds, have presented themselves at Appozai. Your Honour has informed us that the Government intends to pacify the Gomal Pass and establish communication through it with Zhob and elsewhere, and for ensuring the safety of these routes and maintaining peace in the country, proposes to grant us pay and allowances and entertain us in their service. We are greatly pleased with this arrangement and willingly accept the pay and allowances Government has graciously been pleased to fix for our tribe, in return for which we, in future, hold ourselves responsible for the safety and protection of the road, and will cheerfully comply with any orders that the Government may be pleased to give, and will always remain united to, and on friendly terms with, the Sarkar. We have distributed among ourselves the amount Government has been pleased to fix for service by common consent and according to tribal usage.

We trust that in future Government will regard us as their own subjects and treat us with kindness, and we, maliks and our nominees, levies, will always be present when required and ready to do the Government service. In whatever places Government may be pleased to fix posts for our nominees, levies, they will remain there without objection and serve the Government faithfully.

*(Here follow the signatures.)*

No. LXXXIII.

AGREEMENT by the MASHUD JIRGA, dated the 5th April 1902.

Government has been pleased to grant allowances to the Mashud tribe.

Therefore, in consideration of these allowances, we, the full tribal jirga, completely representing the whole Mashud tribe, hereby bind the whole tribe to faithfully abide by the following conditions; for compelling the observance of which, we, the tribal jirga, are responsible: we, the Mashud tribe, will be loyal to Government; we will be of good conduct and commit no offences in areas occupied by Government, that is to say, districts like Bannu, Dera Ismail Khan, the Sheranni country, or Wana or the Tochi or roads like the Gumal and other trade routes; or against Government interests in any way; it is the duty of the tribe to control and keep in order all and every member of our tribe and all the Mashuds are jointly responsible for every

Mashud without exception within our limits and for any others who reside in our country; this responsibility is full joint tribal or sectional responsibility as Government chooses, coupled, if Government pleases, with the punishment of individual offenders; we will not give passage to any persons committing offences; we will not harbour any outlaws from any areas occupied by Government but will immediately expel them should they reach us. We will promptly settle all cases considered established against us, and should we fail to promptly give satisfaction and reparation as required by Government, it is open to Government to enforce our responsibility and to obtain satisfaction and orders in any way it pleases whatever. If we fail to observe, or if we break, any of the above conditions, Government may act as it pleases and punish us as it thinks fit.

2. The distribution of the allowances has been unanimously settled in jirga as follows:—

The Alizai, Bahlolzai and Shaman Khel shares are equal, *vis.*, one-third each of Rs. 54,000. But the Shaman Khels have paid towards the fine a considerably less amount than the other divisions; of this sum the Alizai and Bahlolzai have remitted Rs. 2,500. The balance, about Rs. 5,500, the Shaman Khel will repay to the Alizai and Bahlolzai, in two equal instalments. The internal distribution of sectional shares is as in the separate paper attached. Here follow 144 seals and 1,421 names of Mashuds who have no seals and made their marks.

### No. LXXXIV.

#### AGREEMENT with the DOTANIS regarding the payment of TIRNI in the WANA AGENCY, dated 14th January 1902.

We, Maliks of the Dotannis, in 1897 entered into an agreement with Government whereby in return for allowances of Rs. 1,156 we bound ourselves to the following conditions:—

(1) To pay tirni at the following rates:—

Male camel per head . . . . .	8 annas.
Female camel per head . . . . .	1 Rupee.

(or 12 annas per camel whichever Government may order).

Bullocks and cows per head . . . . .	6 annas.
Donkeys per head . . . . .	4 "
Sheep and goats per head . . . . .	1 anna.

We hold ourselves responsible for the collection of the grazing tax with the assistance of Government when necessary.



- (2) To be responsible for the good behaviour of our sections while residing within the Zhob and Punjab hill tracts and for the detection of offences committed within the limits where our sections are residing.

Now in order that there may be no doubt in the matter we Maliks personally and as representing our sections duly renew this agreement accepting it unreservedly and declaring our intention to abide by its conditions. We on our part understand that so long as we pay the grazing tax demanded by Government and abide by the agreement above, that Government will disburse to us the allowances of Rs. 1,156.

DATED WANA;  
14th January 1902. }

(Here follow the signatures.)

### AGREEMENT with the SULEMAN KHELIS regarding the payment of TIRNI in the WANA AGENCY, dated 14th January 1902.

Whereas the Maliks of the Sultan Khel Minzai and Karaz Sections in 1897 entered into an agreement with Government whereby in return for certain permission to cultivate and allowances of Rs. 4,300 yearly, of which Rs. 2,750 have subsequently been appropriated to the Wana side, we bound ourselves to the following conditions:—

- (1) To pay grazing tax in future both in the Zhob District and in the Waziristan District at the following rates, being those now in force in Zhob:—

Male camel per head . . . . .	8 annas.
Female camel per head . . . . .	1 Rupee.

(or 12 annas per camel whichever Government may order).

Bullock and cow per head . . . . .	6 annas.
Donkeys per head . . . . .	4 "
Sheep and goat per head . . . . .	1 anna.

We hold ourselves responsible for the collection of the grazing tax with the assistance of Government when necessary. We can however only agree to this on the understanding that grazing tax at the same rates be taken from the Dotannis, who graze alongside us within Waziristan limits. Otherwise we shall be disgraced in the eyes of the other Ghilzais.

- (2) We agree to be responsible for the good behaviour of our sections while residing within the Zhob and Punjab hill tracts and for the detection of offences committed within the limits where our sections are residing.

- (3) We agree to pay land revenue on any land we may bring under cultivation within these tracts whenever Government sees fit to demand it, and we will be responsible for the realization of such revenue.



(4) Government has the right to place posts at any place within these tracts when they may deem it necessary.

Now in order that there may be no doubt in the matter, we Maliks as representing our tribe do hereby renew this agreement, accepting it unreservedly and declaring our intention to abide by its conditions.

We on our part understand that so long as we pay "Tirni" in such manner as Government may demand it and abide by the conditions which are given in that agreement, that Government will give us the allowances of Rs. 2,750 mentioned therein and grant us the right to bring under cultivation all culturable lands in Zarmelan, Gul Kach, Girdao and Shinbagh with regard to which no other claimant can prove cultivating possessions.

DATED WANA ;

14th January 1902.

}

(Here follow the signatures.)

### No. LXXXV.

TRANSLATION of an AGREEMENT given by the headmen, maliks, etc., of DOUR, dated 20th February 1872=10th Zulhaj 1288 Hijri, Roz Jelulzoha.

We, Mir Khan, Shuja Alam Subha, Purdil, Asad Khan Nasirkhel, Haibat Shabzalla Khan, Sorung, Purdil, Dewana, Naim Muhammad, Akbar, Sirdar Kumaith Khel, Mir Hussain, Badrang, Banaie Ali Khel, Jimazan, Shekh Maddi, Bura Khel, Said Amin, Zarjamal, Muhammad Gul, Miandad Khan, Shahabuddin, Nasim Shaguli Walti, Ghalim, Golab Sha, Fatteh-ulla Khan, Hospai Ibrahim, Majid, Ajam Bagi, Zulfikar, Bazid, Gul Babu Idak, Black faction Tossinzai, Gulla Khan, Painsa Khan, Umr Khan, Pari Khel, Lachi Khan, Shabadu, Nazrband, Karim Khan, Shabaz Khan, Sokhel, Husen, Samand, Almar, Azim, Londi, Golab Muski, Mahsand, Lalbaz, Shabudin, Shadidar, Sha Madi Zirki, Gharib Sha, Shakalin, Waruki, Shahmadi, Hawa Gach Shah, Janai, Plawar Khan, Khaddi, Goladin, Chafari, Gharib Shah Hurmuz, Lachi Khan, Umr Khair, Nandar, Zarif Khan, Rahmathi Isorri, Nur Bask, Fathe Khan, Daulut Khel, Mulkan Malli of the White faction. The collected Jirga of Lower Dour, Pir Muhammad and Turki, Muhammad Akbar, son of Jahangir, Nasim, Dundi, Ahmad, Maliks of Upper Dour, for ourselves and the entire tribe, do hereby declare that we of our own accord having presented ourselves before Major J. W. H. Johnstone, Deputy Commissioner, Bannu, being introduced by Khan Bahadur Muhammad Hyat, Khan Sahib, most respectfully make the following agreements:—

That during the outbreak of the Muhammad Khel, the tribe had been granted refuge in our country, and thereby we incurred the displeasure of the benign British Government, the consequence was that our tribe was fined for this unfriendly action. The people of Upper Dour by payment of fine had



obtained pardon before this, and the two factions of the Lower Dour having unfortunately and foolishly refused to pay the fine imposed incurred the displeasure of Government, and the consequence was that an army was sent into our country and amount of fine increased. Now, therefore we, the people of the whole of Dour, with the utmost humbleness pay as follows the amount of the fine imposed in the first instance :—

	Rs.
Tangiwal, Dour, Upper . . . . .	1,500
Sokhel Mali, Dour, Lower . . . . .	3,000
Haidar Khel Patti . . . . .	2,000
Total . . . . .	6,500

of Government coin equal to Rs. 8,320 of our coin.

Having paid the above amount of fine, and having restored the four horses of the Government which were within our country, we solicit pardon for past offences, and freely and sincerely make the following promises for the future :—

1st.—That we shall never give shelter or assistance to any individual, individuals, or tribe who after committing treason against the British State seek shelter or assistance in our country, but, on the other hand, we will do our best to carry out the orders of the Government as may be issued by the Deputy Commissioner of Bannu in regard to such man, men, or tribe.

2nd.—That our tribe shall never be guilty of the offence of rebellion against the British Government.

3rd.—That no man of our tribe shall ever commit any heinous offence such as murder, plunder, burglary, etc., within British territory, and that though we cannot be responsible for our entire tribe in regard to thefts, yet we shall endeavour our utmost to retain the thieves among our tribes, and if at any time it is found that stolen property is brought into our country by any one of our tribe from British territory, he shall have either the stolen property restored or the whole tribe will be responsible for its value.

4th.—That we shall never receive any property stolen from British territory by any other tribe, nor will we give shelter or aid to the culprit, and if any one bring such property into our country, we will, if possible, restore it without ransom, or if not, we will never allow the perpetrator to remain in our country, and if the property be still in our country, we are responsible for either the restoration or payment of its value.

5th.—That in future we shall never give shelter or aid to any British subject or subjects who having committed any heinous crime such as murder, highway robbery, burglary, etc., within British territory, seeks refuge in our country, and if we do give such shelter, Government may impose such amount of fine as the nature of the case may call for.

6th.—That we agree and promise that we shall never prohibit the entry of any British subject into our country who does so in the pursuit of an offender or for the restoration of property carried off from British territory, but on the contrary we will afford him every help in carrying out his object,

and pursuing parties shall have the authority to apprehend every offender within our country except within our dwelling houses and chawks, and to bring him to a Court of Justice.

7th.—That if any man of our tribe at any time being convicted of the offence of breach of British Laws and Regulations be tried by a British Court of Justice and punished, we shall never petition for him.

8th.—That for due fulfilment of the above conditions of this agreement we, the people of the entire tribe, unitedly and severally hold ourselves responsible for our own distinct clan, and if we fail, British Government is authorised to lay an embargo on the property of each faction and to impose punishment on our tribe according to the Frontier Rules as is done with other tribes.

9th.—That in order to testify the free-will and sincerity with which we have made this agreement, the following men, respectable Maliks, British subjects, and men, respectable Maliks, subjects of Independent territory, and who frequent British territory, are given as our securities to have the above-named conditions fully carried out. The securities who are subjects of British territory are responsible for one year and we are for always.

Names of securities for Mali tribe, Dour, Lower—

*British subjects.*

Saleh Khan	}	. . .	Maliks, Madan.
Bhai Khan			
Dakas and			
Niazi			

*Subjects of Independent territory.*

Gulla Khan Mahsoud.  
Painda Khan.  
Hossain Khan.

Securities of Tuppi Division, Black faction—

*British subjects.*

Ghaibi Khan	}	. . .	Maliks.
Tor Khan			

*Subjects of Independent territory.*

Amir Khan.	Nizabut.
Alim Subha.	Sheja.
Badrung.	Mir Husen.
Haibat.	Wali.

Yar Khan.

10th.—That lastly we pray that if at any time any one of our tribe act contrary to the above conditions in respect to the British State or to any



British subject, and that we prove that we are unable to punish him properly without the help of Government, that the necessary aid may be granted us to enable us to do so.

Signatures of the individuals named in the first instance.

(True Translation.)

(Sd.) H. B. BECKETT,

*Offg. Deputy Commissioner.*

### No. LXXXVI.

TRANSLATION of an AGREEMENT entered into by the BATANIS on the occasion of their accepting Pass responsibility, on the 2nd February, 1876.

We, the undersigned Maliks and headmen of the Batani tribe, do hereby hold ourselves responsible for the safe custody of our passes on the British border from the most northern Mullazai Pass to the Ghirni Kalan and Khurd Passes in the Tank ilaka of the Dera Ismail Khan District, with other intermediate Passes between them, and do hereby agree to seize and make over to the British authorities any offenders causing any injury to British subjects and to restore any property carried off through the Passes for which we are responsible. Failing this, *i.e.*, making over the offenders or property stolen, we bind ourselves to pay such compensation as may be fixed by the British Government, and we further declare that no member of our three branches, *vis.*, Fatta, Dhanna, Warspun, will have or hold intercourse with any such offender or offenders, but, on the contrary, will do our best to seize them and make them over to the British Government.

We further agree to recover and restore or make good the value of any property stolen and traced to the hills, even though the tracks are not found within the Passes for which we are responsible.

The following is the rate of compensation we bind ourselves to pay in lieu of property carried off from British territory :-

	Rs.
For each camel carried off . . . .	50
Do. cow or bullock . . . .	10
Do. buffalo . . . .	20
Do. ass . . . .	7
Do. sheep or goat . . . .	1-8
Do. mare or horse . . . .	Whatever is fixed by jirga.
	Rs.
Compensation for a murder . . . .	360

Given under our hands this 2nd day of the month of February 1876.

*Here follow seals and signatures of Maliks and Headmen of the Tattas, Dhanna, and Warspan Sections.*

### No. LXXXVII.

#### TRANSLATION of an AGREEMENT with the BATANIS, dated 27th March 1879.

We, the undermentioned Sat, Daulat Khan (*and 18 others*) Warspuns of the plains; Ashraf Khan (*and 6 others*) Dhannas of the plains; Khushal (*and 18 others*) Tattas of the plains; Rakhman (*and 7 others*) Warspuns of the plains hereby hold ourselves responsible for the frontier Passes from the Mulezai to both Girnis, including the intermediate Passes in the Tank tashil. If any hill offenders having stolen any property pass it through the frontier Passes, or cause loss of life, we shall endeavour, as far as possible, to arrest the offenders with the stolen property and make them over to the Sarkar. If we fail in this we shall return the stolen property in kind or pay compensation on the following terms:—

#### We shall pay—

	Rs.
Blood-money . . . . .	360
Wound-money . . . . .	According to the nature of

the wound and as fixed by the Sarkar. No individual of our three sections will ever connive with the offenders. We shall try to the utmost of our power to arrest the offenders with stolen property. Should any stolen property be traced to the hills, we shall return it, even though no tracks of the offenders or property be discovered in the Pass. The value of property is entered below, and we have executed this agreement in presence of the Deputy Commissioner of Dera Ismail Khan, so that it might remain a sanad in the hands of the Sarkar:—

	Rs.
Camel, male or female . . . . .	50
Cow or bullock . . . . .	10
Buffalo . . . . .	20
Donkey . . . . .	7
Sheep or goat . . . . .	1-8

Dated 27th March 1879.

*(Here follow seals and signatures.)*



# No. LXXXVIII.

## TRANSLATION of a Vernacular AGREEMENT made by the BABA BABAK and WURGARA BATANIS on 31st March 1883.

We, the Maliks, Lambardars and headmen of the Batani tribes, do hereby agree to take upon ourselves the responsibility of the safety of the following Passes in the Bannu District :—

1. Shamla.
2. Chil Khana.
3. Wuch Saroba.
4. Tand Saroba.
5. Sason.
6. Khuha.
7. Warmala.
8. Nugram.
9. Khand.
10. Kharoba, with passages called Rustida, Jhagrandia Mitaza, etc.

And to promise that whenever any offender causes any injury to the British subjects, we shall seize the offender and make him over to Government authorities, and shall recover all the stolen property taken through the Passes we are responsible of ; or in default, *i.e.*, if we fail to hand the offenders over to Government or to recover the stolen property, we shall pay without any excuse such amount of compensation as Government may fix therefor. Further, we acknowledge that none of our two branches—Dhanna and Wurgara—shall have intercourse with any offender or offenders, and shall try our best to arrest such offenders and make them over to Government.

We also bind ourselves to recover that stolen property or pay its cost the thieves of which enter into our limits, though their tracks are not found in the Passes of which we are responsible.

We shall be liable to pay compensation for animals stolen from the British territory at the following rates :—

	Rs.
For each camel . . . . .	50
Do. ox or cow . . . . .	15
Do. buffalo . . . . .	40
Do. ass . . . . .	7
Do. sheep or goat . . . . .	1-8
Do. horse or mare—Whatever amount Government may fix according to the merits of the animal concerned.	

*The following is the detail of the liability of Passes :—*

PASSES.	RESPONSIBLE MALIKS.
Half of Nugram Warmala.	3 Baba Maliks, <i>vis.</i> , Raza Khan, Fattah Khan and Saadat Khan, son of Dilamir, by his agent, Hathi Khan.
Khuh Sason	3 Baba Maliks, <i>vis.</i> , Dilasa Khan, son of Daraz Khan, $\frac{1}{3}$ , Nuzar Shah, son of Alif Shah, $\frac{1}{3}$ , and Mir Akbar, son of Chandan, with Maddo Khan, $\frac{1}{3}$ .
Tand Saroba Wuch „ Chil Khana	12 Baba and Wurgara Maliks, <i>vis.</i> , Dilasa Khan, Nazar Shah, Mir Akbar and Maddo, Raza Khan, Saadat Khan, by his agent Hathi Khan, Fattah Khan, Baba, Azad, Amir, son of Timar, Gulla Khan, Aghzari, nephew of Hamza Mir, Fattah Khan Wurgara, Zenai, brother of Latai.
Shamla	6 Baba Maliks, <i>vis.</i> , Dilasa Khan, Nazar Shah, Mir Akbar and Maddo, Raza Khan, Saadat Khan, son of Dilamir, by his guardian Hathi Khan, and Fattah Khan.
Half Nugram Pass Khanda Pass Karoba Pass	17 Baba Maliks, <i>vis.</i> , Dauran, son of Kamran, Jaffir, brother of Akbar Khan, Said Khan, son of Shahman, Dalakki, son of Bardari, Lewatti, cousin of Kamran, and Jaffir Khan, brother of Zaffar Khan, Hakim, brother of Said Amir, Feroz Khan, brother of Dauran, Amir Khan, Dauran, son of Ahmad Khan, Roshan, Sohail, son of Gulrang, Hakim Khan, Fattah Khan, Akbar Khan and, Kamran, son of Matai and Liwatti, cousin of Barai.

Given under our seals and marks this 31st day of March 1883.

(Here follow seals and marks.)

No. LXXXIX.

CONDITIONS proposed to, and accepted by, the BHITTANNIS,—  
1890.

(a) Only Bhittanni cultivators shall be entitled to a share in the remission and should the land be cultivated by a person belonging to another tribe or caste, the said share shall revert to the Malik of that particular sub-section.

(b) In the event of an offence being committed on the border and not traced compensation will be paid by the mafidars and recipients of service allowances within whose limits the offence has been committed in proportion to their share of the same. The Deputy Commissioner shall, however, be at liberty in any suspicious case to realize the compensation from the whole tribe should he deem it advisable to do so.



(c) Nomination for service shall be subject to the approval of the Deputy Commissioner, who is also at liberty to dismiss any nominee who for any reason is considered unfit for duty.

(d) Service shall be permanent, and a nominee once appointed shall not be changed save on the Deputy Commissioner's requisition or with his sanction. The distribution of Silladari may, however, be re-arranged with the consent of the whole jirga.

(e) In the event of a post being established at Jandola no extra service grant will be expected, and the service connected with the post will be duly performed by the three sections of the tribe in proportion to their shares.

(f) In case any District Officer visits the Bhittani Hills, he will be provided with an escort, for which food only will be required.

(g) Should any Militia Sowar, Footman, or Native Officer be sent anywhere on special duty outside the Bhittani country, the whole of the Silladari allowance may, at the Deputy Commissioner's discretion, be paid to him.

(h) In addition to the General responsibility of the tribe for offences committed within its limits, the Malikis will be held personally responsible for the safety of the Passes situated in, or in the vicinity of, their lands. The Statement below gives a list of such Passes, with the names of the Malikis responsible for the same.

*Statement showing the names of Bhittani Malikis responsible for the Passes.*

No.	Name of Pass.	Name of Section responsible.	Names of Malikis of the Section responsible.	REMARKS.
1	From Bain Pass to Khushak.	Ali Khel	Jabar Khan, Mansur Khan, Samandar Khan and Hamza Nur.	
	Chinai	Chaplai	Daulat Khan, Toti, Namdar, Dauran Ghaza, Didari, Shadi, Rahman, Shahbazi, Jhangi, Dur Khan and Amo.	
		Kata Gram	Said Amin, Barani, Nawaz, Sarak, Hassan, Tor Khan, Shamshir, Sher Gul and Mir Alam.	
2	From Tand Chinai to Kot Allahdad.	Tarai	Nasrat Khan, Isot Khan, Mian Khel, Barra Khan and Akil.	
		Dhanna	Adam Khan, Draz Khan, Raza Khan, Sher Muhammad, Adam, Walli Gul, Mirat Khan, Sher Gul and Khushal.	
	From Zam Tank to Girni Khurd with Zeba Pass.	Tatta (Umar-Khel).	Bhangi Khan, Kabir Khan, Sher Muhammad, Kalim Khan,	

*Statement showing the names of Bhattanni Maliks—concl'd.*

No.	Name of Pass.	Name of Section responsible.	Names of Maliks of the Section responsible.	REMARKS.
		Tatta (Niamat Khel).	Ahmad Khan, Rakhman, Mohobat, Balochai, Ahmad Khan, Marwat Khan, Bardar, Dinak.	
		Tatta (Katta Gram).	Said Amin, Barani, Nawaz, Sarak, Hassan, Tor Khan, Shamshir and Sher Gul and Goddi.	
		Tatta (Shan Khel).	Mir Azam, Sandak, Bhangi and Banochi.	
		Tatta (Abba Khel).	Kota, Katawaz, Zaman, Katawaz 2nd, Mamak and Jabar.	
		Tatta (Sarha)	Sher Khan, Lawat, Zamani, Mirani and Din Muhammad.	
		Shakhai	Payand, Sado, Bazid, Rahmati, Charakki, Zarif, Dost Muhammad and Brahim.	

(Sd.) L. W. KING,  
Deputy Commissioner.

## No. XC.

TRANSLATION of a PETITION and ENGAGEMENT, dated 13th July 1883, presented by the SHIRANI JIRGA.

The object of these lines is as follows :—

Owing to the evil deeds of some of the Shirani bad characters who have committed offences in British territory, the executive officers of Government have shut out the tribe from British territory. We therefore now as representatives of all the Shiranis make the following promises in order to have the blockade raised :—

(1) Rupees 2,530-3 are still due by us on account of compensation for offences committed by the tribe. All the stolen property that can be collected will be now handed over to the executive officers of the Government. The Chaudwan dam and the water-mill which were burnt and destroyed by our tribe we will reconstruct with our own hands. The balance remaining after deducting value of cattle to be returned, and the labour we supply in repairing dam and re-building water-mill will be guaranteed in cash by a trustworthy surety resident of British territory, who will pay the amount due within a period of two months. The said surety will make up the sum by



levying one anna per rupee on our trade with, if necessary, the assistance of Government. If, however, we wish the blockade to be raised before tender of security, we will place a number of our hostages (to be fixed by Government) in British territory, and the cost of their maintenance will be borne by ourselves so long as they remain in British territory.

(2) As regards future offences, we engage to restore the actual stolen property or to point out the offenders or their property when they come down to the plains and make them over to the Sarkar within three months from date of committal of offences. If we fail to do this, the whole tribe will be liable to pay in compensation. These terms include the Khidarzais and Chuhar Khels. In the same manner, we shall be responsible for individuals of other tribes who may be in the Shirani limits.

(3) We engage to expel outlaws who, having committed offences in British territory, seek refuge in our country. Mir Khan, Gondapur murderer, who is now with us, we will turn out from our country. We will send down Mir Ahmad, Mian Khel, and Muhammad Biluch to the plains if they agree to have their cases tried by jirga, otherwise we will expel them from our country.

Dated 8th Ramzan 1300 Hijra according to 13th July 1883. Written by Mahmud Shirazi.

*(Here follow the signatures.)*

*P. S.*—As to the murder of Jhangi Ram, charged against us, we know nothing. We, however, agree to pay the blood-money if two witnesses swear Shiranis were the murderers, otherwise we accept the decision of the Sahib.

Attested by me 14th July 1883.

(Sd.) S. S. THORBURN,  
*Deputy Commissioner.*

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### No. XCI.

TRANSLATION of a PETITION, dated 4th February 1890, presented by SHERANI MALIKS.

We beg respectfully to represent that we the Sherani Malikis went to Appozai in compliance with the Government invitation. The Government accepted the submission of the Bargha division of our tribe, and granted them service, and entered into agreement with them, they becoming responsible on that side. Some of the men of the Largha division did not come in, and consequently no settlement was arrived at with us. We therefore accompanied your camp to Dera. The Kidderzai Malikis have not come in and made submission. In this they are to blame, and we

therefore consider them our enemies. We the Maliks of the Uba Khel and Hassan Khel sections pray that a settlement be made with us on the following terms:—

- 1stly.*—That the Government may grant us service allowance, which we will distribute between us, and we will carry out any orders the Government may be pleased to give in regard to those members of our tribe who have not yet come in to tender their submission.
- 2ndly.*—That within six months we will engage to bring them in and submit unconditionally, and in the meantime we will hold ourselves responsible for their good behaviour. If we fail to bring them in within that period, the service granted us may be forfeited. And in case the Government should decide to send a force against them, we will render every assistance in our power and help the Government army and servants through any route within our limits. Should Government erect any fort or cantonment in our country, we will not object, but will render assistance in their construction. If Government opens routes in our country, we will protect them and our servants (levies) will serve in such posts as the Government may fix, and we will serve loyally.
- 3rdly.*—That if any bad character, member of our tribe, commits any crime and Government requires us to do so we will capture and surrender him.
- 4thly.*—That if any offender, resident of British territory, commits a crime and takes refuge with us, we will surrender him on Government demanding it.

We the Maliks will carry out Government orders fully, and hold ourselves responsible for all the acts of our tribe. We unanimously present this application and trust that it will be accepted.

*(Here follow the signatures.)*

## No. XCII.

TRANSLATION of an AGREEMENT, dated 23rd March 1891, entered into by the LARGHAWAL SHIRANI MALIKS.

We, the headmen of the Hassan Khel, Ubda Khel and Chuhar Khel sections of the Shirani tribe, including the Sultanzai, Khiddarzai and Ismalzai sub-sections and the residents of Parwara, Drazand and Khamistana, have heard the orders of Government, unaniously accept the conditions detailed below, and agree that we will raise no objection to carrying them out.



*Conditions.*

1. Besides carrying out the agreement previously entered into by us the orders now announced will be compiled with.

2. The three Passes, Zao, Khiddarzai and Chuhar Khel Dhana, will be open to caravans and travellers for trade and other purposes, and the sections above named will be responsible for any loss of life or property occurring in them. No tolls of any kind will be levied on these routes.

3. European and Native officers and other public servants will be at liberty to travel in any part of the Shirani country, and the tribe will be responsible for the safety of their lives and property and for supplying them with such *badraggs* (escort) as they may need. These escorts will only be entitled to receive diet expenses, and will have no claim for further remuneration.

4. Arrangements for the suppression of crime and enforcing compliance with the orders of Government will be effected through the headmen of the tribe.

5. If the orders of Government are disobeyed, disregarded or ignored, the Government will be at liberty to occupy the Shirani country.

6. Twelve selected headmen of the tribe will be detained at Dera Ismail Khan as a pledge of the future good faith of the tribe during the pleasure of Government. Besides these men the Deputy Commissioner will have power at any time to keep any of the headmen of the Khiddarzais or any other section of the tribe as hostages at Dera Ismail Khan as long as Government may desire.

7. If a bad character belonging to any section commits an offence on a British subject in the Shirani country or in British territory, the sections concerned will be responsible for the apprehension and surrender of the offender. If that section fails in this, the whole tribe will be responsible for the surrender of the culprits to Government, which may deal with him in any way it may deem expedient. If the tribe fails to surrender the offender, it shall be liable to pay the compensation and fine imposed by the Government after the due consideration of the merits of the case. The Government shall also have the power to deduct the amount of compensation and fine from the tribal service emoluments.

8. In consideration of the duties and responsibilities referred to above the Government has granted a sum of Rs. 917 to the tribe in the shape of service allowances. These allowances have been given on the condition that the posts will be built at the following places :—

- (1) Moghal Kot, near the Chuhar Khel Dhana.
- (2) Nishpa Atal Khan Kohol, near the Khiddarzai Dhana.
- (3) Gandhi Kach, near the Zao Dhana.
- (4) Drazand.
- (5) Domandi.

These posts will be held by tribal levies in receipt of the service allowances, but the Government will have power to reinforce the garrisons at these posts by placing other levies there.

The levies will be generally footmen, but a few headmen shall also be appointed as sowars. The distribution of the service is as noted below :—

	Rs.
1 Jemadar . . . . .	30 per mensem.
1 Daffadar . . . . .	25 ditto.
4 Havildars . . . . .	60 ditto.
8 Sowars . . . . .	160 ditto.
61 Footmen . . . . .	610 ditto.
Allowances to Maliks . . . . .	32 ditto.
	<hr/> 917 <hr/>

The Silladari deductions will be made at the following rates :—

	Rs.
Out of pay of a Sowar . . . . .	5 per mensem.
Ditto Footman . . . . .	2 ditto.
Ditto Havildar . . . . .	3 ditto.
Ditto Daffadar . . . . .	5 ditto.
Ditto Jemadar . . . . .	7 ditto.

9. Service shall be permanent, and once a nomination is made no change will be allowed without the consent of the Deputy Commissioner. In the case of negligence, disobedience or incompetency the Deputy Commissioner shall have power to dismiss, fine or transfer the individual in fault. Any alteration in the distribution of Silladari will be subject to the orders of the Commissioner of the Division.

### No. XCIII.

TRANSLATION of a PETITION, dated 4th March 1899, presented by the SHIRANNI MALIKS, &c., to the Commissioner and Superintendent, Derajat Division.

WB, the Shiranni Tumandars, Maliks and Mutabirs, beg to state that since the construction of levy posts in our country 8 or 9 years ago our tribesmen have committed no serious offences in British territory. Cases, however, arise among ourselves and specially between us and the Barghawals; Government demands offenders from us, and when we are unable to surrender them the authorities are displeased with us. Murders are committed in our tribe, and we are unable to inflict deterrent punishment on offenders. Ever since the Sarkar has entered our country cultivation has increased, but



as long as no satisfactory arrangement is made for water-courses (vials) the whole of the culturable land cannot be brought under cultivation. In the construction of "vials" disputes regarding the distribution of water ensue and until we come to an agreement nothing can be effected. If Government, however, will assist and help us in the management of our "vials" great improvement can be made in cultivation. We shall willingly pay revenue to Government. Government, however, should show so much favour as not to impose a heavy revenue. We shall gladly pay Government  $\frac{1}{10}$ th of the produce in accordance with the Muhammadan law (Shariat). To determine the share of Government it will be necessary to measure lands or weigh produce. To avoid this for the present we desire that Government should accept Rs. 2,000 a year for two or three years as a fixed sum and afterwards assess the revenue by measurement of lands when it thinks proper. Government should look upon us as its subjects and consider our country the same as the Daman and decide our cases through its officers. Regard should, however, be paid to our allowances. We have previously stated that our allowances are small, and now too beg to request that our allowances may be increased. The present amount is insufficient for us, for a large portion of it is paid as service allowance; and the amount of Maliki allowance is only nominal. The Syads and religious leaders (Pirs) should be exempted from payment of the revenue. As we are British subjects, we shall esteem it a great favour if Government will assist us in the preparation of our water channels and construct roads in our country with a view to facilitate communications. Government should confer honors on our leading men in the same way as they do in British territory.

*(Here follow the signatures.)*

#### NO. XCIV.

TRUE TRANSLATION of an ENGAGEMENT made by the AMAN-UL-MULK, Ruler of CHITRAL, with HIS HIGHNESS the MAHARAJA of KASHMIR,—1878.

"With the sincerity of purpose and the cordiality of will, I (the Aman-ul-Mulk) do hereby execute this deed on my own part and on the part of my children, consisting of the following articles:—

#### ARTICLE I.

"I engage that I will always sincerely endeavour to obey and execute the orders of His Highness the Maharaja, the Wali of Jammu and Kashmir, that I will overtly and covertly consider His Highness's well-wishers and friends as my friends, and the enemies of his Government as my enemies,

that I will present the following 'nuzzerana' to His Highness annually as an acknowledgment of his paramount power:—

"Three horses,

"Five hawks,

"Five tezi dogs (hounds).

#### ARTICLE 2.

"One confidential Agent of His Highness shall always reside in Kashka (Chitral) and another at Yasin. Due attention and consideration shall be paid to them.

"In the like manner a confidential agent of mine shall reside at the Maharaja's Durbar, and another on the part of the Ruler of Yasin shall remain at Gilgit for the purpose of carrying out His Highness's orders.

#### ARTICLE 3.

"I shall receive a yearly mawajib (subsidy) of Rs. 12,000, Srinagar coinage, from His Highness's Government, on condition of my acting upon the above articles and giving satisfaction to His Highness in every way.

"If one of my sons be appointed in the place of one of the agents (above-mentioned) His Highness's Government will assign him an extra allowance—

	Rs.
To self . . . . .	10,000
To Sardar Nizam-ul-Mulk . . . . .	2,000 <sup>7</sup>

### No. XCV.

#### AGREEMENT with the KHAN of DIR,—1895.

Whereas the Government of India have no desire to annex the territory of the Khan of Dir, but require a road to be kept open from the Swat Valley to Chitral territory, the Khan of Dir, on behalf of himself and of his successors, fully and freely undertakes—

that he will keep open the road from Chakdara to Ashreth,

that he will make any postal arrangements required,

that he will protect the telegraph on any occasions when it is put up,

that he will maintain the road, levy posts and camping ground enclosures in good repair, and

that he will protect the whole line with levies.

II.—In return for the above considerations the Government of India undertake to grant the Khan a payment of ten thousand rupees a year, and a present of four hundred Snider rifles with such a supply of ammunition as may be deemed advisable; and they will defray the cost, as may be necessary of the maintenance of the levies,



III.—The Government of India further undertake on their part, in consideration to the Khan accepting the conditions aforesaid and performing the services required by them, that they will not interfere with his administration of the country as fixed by its present boundaries.

IV.—In consideration of receiving from the Government of India an annual payment of 10,000 rupees the Khan of Dir, on behalf of himself and his successors, declares that trade passing along the road from Chakdara to Ashreth shall for ever be free from all toll or tax within his territories.

V.—The payments for the levies will be made at the end of every month; the payment of the allowance to the Khan mentioned in Clause II, and of the sum mentioned in Clause IV in consideration of freedom of trade from taxes, shall be made in equal half-yearly instalments, one payment in the spring of the year, and one in the autumn. The first payments on these accounts will become due on the 1st of April 1896.

VI.—The Khan of Dir, on behalf of himself and of his successors, undertakes, at any time when the Government of India may wish to place troops temporarily on the Laram hill or on the Dosha Khel range, to give sufficient ground for their accommodation upon receiving a fair rent for the site or sites.

(Sd.) MUHAMMAD SHARIF KHAN,  
*Khan of Dir.*

LARAM:

*The 12th September 1895.*

No. XCVI.

TRANSLATION of a copy of an AGREEMENT given by the NAWAB of DIR,—1900.

Whereas the Khans of Dir have been for the last few generations collecting taxes, etc., from the inhabitants of the villages of Ashreth Badulgah, Biuri, Kaltak, etc., and the inhabitants of Kashkar held the right of grazing in the Kandur nulla, from the time when the Sublime Government fixed the boundary between Dir and Chitral at the Lowari Pass, while difficulties have arisen in maintaining the rights alluded to above, I, Muhammad Sharif Khan, Nawab of Dir, at the request of the Resident and in order to carry out his orders, although I had the hereditary right to collect the taxes, etc., do hereby agree that in lieu of those rights which the Khans of Dir enjoyed in those places, I shall accept every year Rs. 1,000 (Rupees one thousand), British India coinage, from the Resident of Malakand, and will give up the past rights which the Khans of Dir had in that Ilaka to please the Sublime Government, although I was not satisfied myself. I will also prevent the people of my territory from grazing their flocks in that Ilaka. When by the grace of God Government will bestow favours on me, I will make the arrangements, I, therefore, write these few lines, so that the writing may remain as a "sanad" and become useful. Dated 2nd Rabi-ul-Awal 1318.

## No. XCVII.

AGREEMENT of 13th October 1898, between the NAWABS of DIR  
and NAWAGAI.

Whereas there was enmity and spite between me and the Nawab of Dir on certain points, we have, therefore, now effected a reconciliation between ourselves and entered into an agreement and fixed our boundaries. Accordingly the Takwara Kotal, Ilanai Fort and Kotal Trepaman are the boundaries and the Nawab of Dir will have no concern whatever at all on the other side of the boundaries and I will have no concern on this side. The friends and foes of one will be the friends and foes, respectively, of the other, and who-soever of us will deviate from and act against the above agreement, he will be to blame. Therefore this writing is given so that it be a *sanad* hereafter. Executed on the 26th Jamadi-ul-Awal 1316 Hijri.

Sealed by  
SAFDAR KHAN,  
SARDAR KHAN, and  
MUHAMMAD ALI JAN.

## No. XCVIII.

AGREEMENT executed by the NAWAB of DIR, defining his  
boundaries with SWAT, CHITRAL, BAJAUR, and AFGHANIS-  
TAN, dated December 1898.

I, Muhammad Sharif Khan, Nawab of Dir, hereby promise that in future I will not commit aggression on, nor interfere in any way with, any tribes or people beyond the present boundaries of my country. I also promise that in case of any disputes between me or my heirs and any of the tribes adjoining my present boundaries, I will be guided by and will act in accordance with the advice and orders of the Indian Government through the Political Agent, Dir, Swat, and Chitral, for the time being. The present boundaries of my territory are as below:—

1. With Chitral the crest of the Lowarai range and the watershed as fixed by Government—of course as regards the grazing right with Chitral the arrangements made by the Political Agent in accordance with the old rights will hold good.
2. Trepaman Takura crest and Ilanai with Bajaur and Utman Khels in accordance with the settlement come to between me and the Khan of Nawagai.
3. Jandarai Sar the watershed of the Panjkora and the boundary of the Shamezai to the point marking that boundary between Terat and Barnial with Kohistan.
4. The bank of the Swat river with Swat.



5. My boundary with the Amir of Kabul is that which has been fixed and determined by Government.

I hereby set my seal to this agreement so that it may serve as a *sanad* in future, on this 17th day of Rajab, 1316 Hijri.

Seal of

MUHAMMAD SHARIF KHAN,  
*Nawab of Dir.*

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No. XCIX.

AGREEMENT with the AZZI KHELs of the Malakand Agency not to allow the Sartor fakir or enemies of the Government of India, through their country, dated 5th of December 1898.

We, Malik Jamal Khan, Malik Gujar, Shadal Khan, Jojan Khan, Khubdad Khan, Mujawari Khadikhel, Mujawari Pir Khel, Najim Khan and others of the full Jirga of Azzi Khels, do hereby agree that in future we will serve the Government sincerely and honestly and that our relations with Government shall be such as those of the Musa Khels, Aba Khels, Babuzais, Khan Khels and others. We further agree that we will not allow the Fakir or any other fanatical person in our territory of Azzi Khels. We have executed and given these few lines of our free will, in the presence of the full Jirga of Khan Khels, namely, Inayatulla Khan, Amir Muhammad Khan, Amin Khan and others of full Jirga of Thana, so that it may be a Sanad for the future. It should be known that this original (agreement) has been given to Major Deane and an attested copy thereof will remain with us.

Executed on 21st Rajab-ul-morajab 1316 Hijri, corresponding to 5th December 1898, at Thana, Swat in the Hujra of Inayatulla Khan.

*(Here follow the signatures.)*

Verified before me:

(Sd.) H. A. DEANE,  
*Political Agent, Dir, Swat and Chitral.*

THANA;  
5th December 1898.

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AGREEMENT with the JINKI KHELs of the Malakand Agency not to allow the Sartor Fakir or enemies of the Government of India through their country, dated 16th December 1898.

We, Abdul Rahman Khan and Abdul Rahim Khan, Khans of Shar and others of Jinki Khel Jirga, Upper Swat, do hereby agree that we will serve Government in future sincerely and honestly and our relations with Government will be the same as those of the Musa Khels, Ada Khels, Babuzais,

Maturezais, Khan Khels and others of Swat. We further agree that we will not allow the Fakir or any other seditious person to enter our territory of Jinki Khels. Therefore we have executed and given these few lines of our free will, in the presence of full jirga of Khan Khels, Musa Khels, Aba Khels, Babuzais, Maturezais, Azzi Khels, at Thana, so that it may be a Sanad in the future.

P. S. This original (agreement) has been handed over to Major Deane and an attested copy thereof under his signature will remain with us.

Dated 2nd Shaban 1316 Hijri corresponding to 16th December 1898.

*(Here follow the signatures.)*

Verified by me.

(Sd.) H. A. DEANE,

*Political Agent, Dir, Swat and Chitral.*

THANA;

*The 16th December, 1898.*

AGREEMENT with the NIKPI KHEL, SHAMEZAI and SEBUJNIS of the Malakand Agency not to allow the Sartor Fakir or enemies of the Government of India through their country, dated 24th December 1898.

We, the Khans and Maliks of Shamezai, Sebuji and Nekpi Khel clans do hereby agree that we will not now nor in future allow the Sartor Fakir or enemies of Government or the enemies of the Nawab of Dir or other fanatical men into our territories, nor will we allow any other men from the left bank to enter into the country on the right bank to create trouble. If we act against any of the above conditions or are found to be in league with the Fakir or enemies of Government and the Nawab, we are responsible to the Nawab and to the Government who will be free to inflict on us such punishment as they deem fit. We have executed this agreement as a Sanad for the future, and our seals and signatures of the following detail are affixed. Dated 2nd Shahr Shaban-ul-Mazam 1316 Hijri.

*(Here follow the signatures.)*

Verified before me.

(Sd.) H. A. DEANE,

*Political Agent, Dir, Swat and Chitral.*

CHANDANA :

*The 24th December 1898.*



## No. C.

TRANSLATION of an AGREEMENT with AURANGZER KHAN of DIR (more commonly known as BADSHAH KHAN), son of NAWAB MUHAMMAD SHARIF KHAN, C.I.E., the late KHAN of DIR,—1905.

Whereas the Government of India have no desire to annex the territory of the Khan of Dir, but require a road to be kept open from the Swat Valley to Chitral territory, on succeeding to his father, the late Khan of Dir, Badshah Khan, the Khan of Dir, on behalf of himself and of his successors fully and freely undertakes—

- (i) that he will keep open the road from Chakdarra to the boundaries of Chitral territory ;
- (ii) that he will make any postal arrangements required ;
- (iii) that he will protect the telegraph on any occasions when it is put up ;
- (iv) that he will maintain the road, levy posts, and camping-ground enclosures in good repair ; and
- (v) that he will protect the whole line with levies.

II.—In return for the above considerations the Government of India undertake to grant the Khan a payment of fifteen thousand rupees a year, and they will defray the cost, as may be necessary, of the maintenance of the levies.

III.—The Government of India further undertake on their part, in consideration of the Khan accepting the conditions aforesaid and performing the services required by them, that they will not interfere with his administration of the country as fixed by its present boundaries.

IV.—In consideration of receiving from the Government of India an annual payment of ten thousand rupees, the Khan of Dir, on behalf of himself and his successors, declares that trade passing along the road from Chakdarra to Ashreth shall for ever be free from all toll or tax within his territories.

V.—In consideration of receiving from the Government an annual payment of one thousand rupees, the Khan of Dir, on behalf of himself and his successors, relinquishes his claims to grazing and all other rights on the Chitral side of the boundary as fixed by Government between Dir and Chitral.

VI.—The payments for the levies will be made at the end of every month ; the payment of the allowances to the Khan mentioned in Clause II and of the sums mentioned in Clauses IV and V shall be made in equal half-yearly instalments, one payment in the spring of the year and one in the autumn.

These payments shall be made with effect from the date of the death of the late Nawab, 8th December 1904, and Badshah Khan will receive any sums which were due to his father up to that date.

VII.—The Khan of Dir, on behalf of himself and of his successors, undertakes, at any time when the Government of India may wish to place troops temporarily on the Laram Hill or on the Dosha Khel Range, to give sufficient ground for their accommodation upon receiving a fair rent for the site or sites.

VIII.—The Khan of Dir, on behalf of himself and of his successors, undertakes to abide by the present boundaries between Dir and Chitral and Dir and Afghanistan, and not to interfere in any manner whatsoever with any tribes or people beyond those boundaries, and promises that in the event of any dispute between him and any such tribes or people he will be guided by and will act in accordance with the advice and orders of the Government communicated through the Political Agent :—

- (i) The boundary with Chitral as fixed by Government is the crest of the Lowarai Range and the watershed.
- (ii) The boundary with Afghanistan is that which has been demarcated by Government.

IX.—The Khan of Dir, on behalf of himself and of his successors, undertakes with regard to the trade in timber obtained from the forests of Dir, if so required by the Political Agent—

- (i) to allow the forests to be inspected by a qualified (Native) Forest officer ;
- (ii) not to cut and place in the river in any one year a number of logs in excess of that which the Chief Commissioner, after consideration of the state of the Dir forests, may determine ;
- (iii) to employ directly, and not through a contractor, all the labour required before the timber reaches British territory ;
- (iv) to require contractors to maintain depôts in British territory where the timber shall be stocked, and to pay such, if any, toll to the British Government as may be fixed ;
- (v) to cause each log to bear the registered mark of the Khan of Dir and of the purchaser.

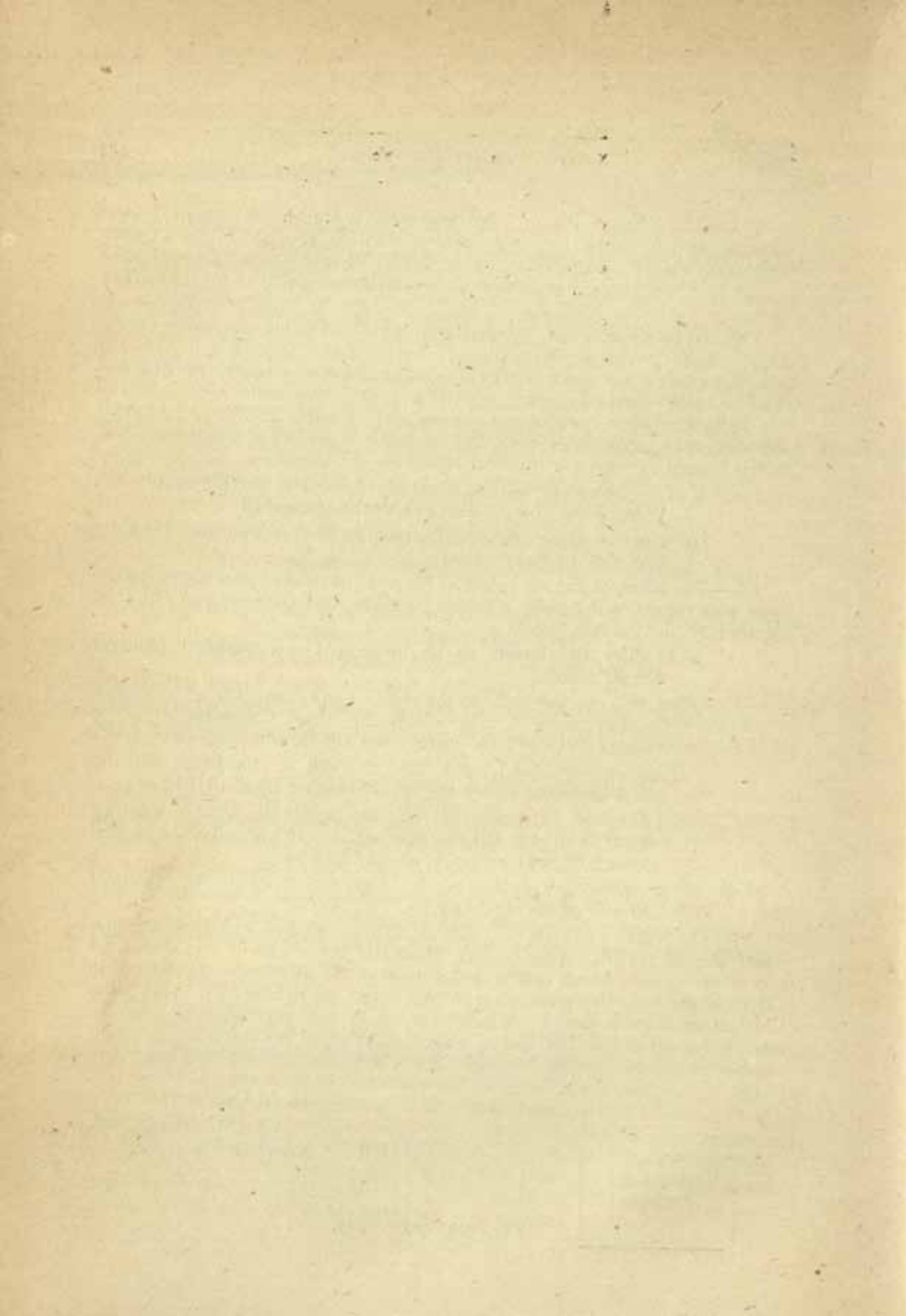
X.—The Khan of Dir, on behalf of himself and of his successors, undertakes to provide for his brother, Mian Gul Jan, a sum of five thousand rupees per annum, which will be retained out of the allowance mentioned in Clause II and paid by Government to Mian Gul Jan so long as the said Mian Gul Jan continues to live in Peshawar, or, with the permission of Government, elsewhere out of Dir, and to make such further provision for his maintenance as may be agreed between the Chief Commissioner and the Khan of Dir.

Seal of  
Badshah  
Khan.

H. A. DEANE,  
*Chief Commissioner,  
North-West Frontier Province.*

*The 13th April 1905.*





## PART II.

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# TREATIES, ENGAGEMENTS, AND SANADS

relating to

## BALUCHISTAN.

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Baluchistan is an expression of political geography. It comprises the territory bounded by the borders of Sind and the lower Derajat on the east, the Arabian Sea on the south, Persia on the west, and Afghanistan and the North-West Frontier Province on the north. The most important divisions of Baluchistan are as follows :—

1. Kalat proper, or the territory under the immediate rule of His Highness the Khan of Kalat ;
2. Sarawan and Jhalawan, or the tracts lying to the north and south of Kalat respectively, which are inhabited partly by the Khan's *ulus*, but mainly by the various Brahui tribes under their hereditary Chiefs ;
3. The assigned districts of Quetta, the Bolan, Nushki and Nasirabad ;
4. The Chiefship of Las Bela ;
5. Kharan ;
6. Makran, including Kej and Panjgur ;
7. The country inhabited by Baluch tribes, such as the Marris and Bugtis, along the Punjab and Sind borders ;
8. British Baluchistan ;
9. Bori, Zhob, the Chagai and Sinjerani country.

Of the above divisions those numbered (1), (2), (4), (5) and (6) are included in the Kalat Agency, and are under political control. The Bolan (No. 3) is administered by the Kalat Political Agent as an assigned district. The remaining districts under (3) form a portion of the agency territories, which are administered by the Governor General's Agent, along with the tracts enumerated under (7) and (9).



## KALAT.

The first noteworthy Khan of Kalat was Abdulla Khan. At the commencement of the eighteenth century, he affected to be independent of the Delhi empire, and reduced several provinces to his rule. During the reign of his son, Mahabat Khan, Nadir Shah invaded India, and annexed the whole of the territories west of the Indus to his dominions. On the dismemberment of the Persian empire, after the death of Nadir Shah, Kalat formed part of the territories over which Ahmad Shah Abdali established his supremacy. Mahabat Khan, who was unpopular with his Chiefs, was deposed by Ahmad Shah, and his younger brother, Nasir Khan, was appointed to rule in his stead. From this time the power remained with the younger branch of the family, till the attempt which the British Government made after the first Afghan war to change the succession.

Nasir Khan was by far the most distinguished of the Khans of Kalat. His rule was vigorous, although his political position was that of the head of a confederacy of Chiefs and not that of a despotic ruler. His policy of uniting the Baluch tribes so consolidated his power that he found himself strong enough to rebel against Ahmad Shah, who ceded to him the districts of Shal, or Quetta, and Mastung. He also extended his authority to the south-west over Makran, Panjgur and Kej. He was succeeded in 1795 by his son, Mahmud Khan, and he, in 1819, by his son, Mehrab Khan, in whose time the political connection of the British Government with Kalat commenced.

Mehrab Khan was a well-meaning but weak ruler. He disgusted his Chiefs by surrendering himself to the influence of one Daud Muhammad, a man of low extraction, for whom he sacrificed the hereditary minister, Fateh Muhammad. Daud Muhammad, however, was killed by Fateh Muhammad's son, Naib Mulla Muhammad Hasan, who was restored to the hereditary office, but who never forgave the injury done to his father. To the revenge of Mulla Muhammad Hasan are attributable the misfortunes which subsequently overtook Mehrab Khan.

On the failure of Shah Shuja's first attempt to recover his dominions in 1833, he found refuge for a short time at Kalat before his return to his exile at Ludhiana. When the expedition of 1838 for the restoration of Shah Shuja was determined on, a British officer, Lieutenant Leech, was sent to Kalat to secure the co-operation of Mehrab Khan, through whose territories the armies had to march. Mulla Muhammad Hasan, however, contrived to create a dislike between the Khan and Lieutenant Leech, and the latter left without attaining his object. The treacherous minister

further caused it to be believed that the Khan had seized stores of grain which had been collected for the British troops, and wrote orders in the Khan's name, but without his knowledge, inciting the tribes to rise and harass the British army on its line of march. Sir Alexander Burnes was deputed to Kalat to allay the supposed hostility of the Khan and to negotiate a Treaty (No. CI) with him. The treaty was signed contrary to the secret wishes of Mulla Muhammad Hasan, and the Khan agreed to proceed to Quetta to pay his respects to Shah Shuja. Sir A. Burnes preceded him. On the way Mullah Muhammad Hasan caused him to be robbed of the draft treaty which the Khan had signed. The belief that this was done at the instigation of the Khan was studiously impressed on the British Government, and the Khan himself was prevented from going to Quetta by Mulla Muhammad Hasan, who frightened him into the belief that the British intended to make him a prisoner. The proofs of the Khan's hostility were now apparently complete, and it was resolved to punish him when a fitting opportunity occurred.

Accordingly, when General Wiltshire's brigade was returning from Kabul in 1839, a detachment was sent to Kalat to punish the Khan. The town was taken by storm on the 13th of November. Mehrab Khan fell in the assault, and his son Husain Khan fled. From the papers discovered in the fort the treachery of Mulla Muhammad Hasan was fully proved, and he was made a prisoner. With the British army was one Shah Nawaz Khan, a youth of fourteen, descended in the direct male line from Mahabat Khan, who had been deposed by Ahmad Shah. This youth and his brother, Fateh Khan, had been imprisoned by Mehrab Khan but had effected their escape. Shah Nawaz Khan was set up by the British Government as Khan of Kalat, but the provinces of Sarawan and Kach Gandawa were annexed to the dominions of the ruler of Kabul.

Shortly after the accession of Shah Nawaz Khan, a revolution broke out, headed by Mehrab Khan's son, who had assumed the name of Nasir Khan. Shah Nawaz Khan was deposed, the British representative at Kalat was murdered, and there was open war between Nasir Khan and the British Government. As the only means of quieting the country and doing tardy justice to the memory of the unfortunate Mehrab Khan, the British Government reversed its policy, established Nasir Khan in power, and restored to him the districts which had been annexed to Kabul. A Treaty (No. CII) was concluded with him on the 6th October 1841, the main feature of which was that it recognised Kalat as a dependency of Kabul.

After the withdrawal of the British army from Kabul, this treaty became a dead letter. In 1842 a proposal was made to conclude a



supplementary treaty, by which pecuniary aid should be substituted for military support to the Khan, but this suggestion was not acted upon. In 1854, however, when war between England and Russia was threatened, and it became of importance to strengthen British influence on the western frontier, a new Treaty (No. CIII) was concluded with the Khan. This abrogated the treaty of 1841; renewed the obligations of the Khan to oppose all enemies of the British Government; to act in subordination to the British Government; to enter into no negotiations with other states without its consent; and to receive British troops into his country if such a measure should be deemed necessary. By this treaty also the British Government granted to the Khan an annual subsidy of Rs. 50,000, on condition of his preventing his subjects from committing outrages within or near British territory, of his protecting merchants, and permitting no exactions on trade beyond certain specified duties.

Nasir Khan died in 1857, his death being generally believed to have been caused by poison. There were three claimants for the succession, Azim Khan, brother of Mehrab Khan, his son of the same name, and Khudadad Khan, his half-brother. The last, then a youth, was selected by the Chiefs of the country, but soon embroiled himself with them. He also had to contend against the pretensions of Fateh Khan, the brother of the British nominee, Shah Nawaz Khan, who was supported by Azad Khan of Kharan. But for the countenance and support of the British Government Khudadad Khan could not have maintained himself in power. In 1859 the British Government gave the Khan Rs. 50,000, in addition to the subsidy paid under the treaty, to enable him to strengthen his hands and meet the cost of reducing the rebellious tribe of Marris, who had harassed the British frontier. This additional grant was paid for four successive years, but little good resulted from it. The leading Chiefs of Kalat conspired against Khudadad Khan, and on the 17th March 1863 proclaimed his cousin, Sherdil Khan, as their ruler. The town and the fort of Kalat were surrendered to the rebels without a show of defence, and Khudadad Khan retired to Nasirabad in Kachi. Sherdil Khan was murdered by his own guards in May 1864, and Khudadad Khan was re-elected Chief of the State. He was recognised by the British Government as Khan of Kalat, and the payment of the subsidy of Rs. 50,000 under the treaty of 1854, which had been suspended during the disturbances in the country, was renewed.

In 1862 the Khan of Kalat signed an Agreement (No. CIV) by which the boundary between Sind and Kalat was defined. A portion of this boundary, on the border of the Shikarpur district, was for some years



disputed, but it was finally settled in 1887 by an order of the Government of India.

The history of Kalat after the restoration of Khudadad Khan was marked by constant conflicts between the Khan and his turbulent subjects. In quelling partial risings he met with a certain amount of success. Taj Muhammad Khan, the Chief of the Jhalawan country, was taken prisoner and placed in confinement, where he soon afterwards died, and the Jam of Las Bela was forced to take refuge in British territory. But in 1871 a combination of the Brahui Chiefs ended in open rebellion. The causes of their discontent were alleged to be the resumption by the Khan of their hereditary lands, and the introduction of changes which deprived them of their due share in the administration. The Khan, finding himself unable to coerce his subjects, implored British aid, and delegated to the Commissioner in Sind full powers to mediate a settlement. The malcontents were summoned to Jacobabad, and an arrangement was effected by which the Khan consented to restore to the Sardars their confiscated lands; to grant them the allowances customary in the time of Mir Nasir Khan the younger; and to allow them to live on their estates so long as they paid him proper allegiance. They, on the other hand, were to restore all property plundered during their rebellion, the Khan consenting to forego all claims in regard to his own property. The opportunity was taken to impress upon the Sardars the duty of obedience to the legitimate authority of the Khan, and to warn His Highness that he would not be countenanced in high-handed interference with the rights of his subjects.

These arrangements, however, were distasteful to the Khan. He resented the part taken in promoting them by his minister the Shahgasi Wali Muhammad Khan. He came under the influence of unworthy favourites, and quarrelled with Wali Muhammad, and it was not until the Political Agent, whose appointment, after remaining in abeyance since 1864, had been revived, was on the point of leaving Kalat, that he consented to restore the minister to his former position and dismiss the favourites. Finding his efforts to procure the recall of these men unavailing, the Khan ceased to look after his administration, took no steps to remedy the disorder which prevailed in Las Bela, or to compensate merchants for the plunder of their caravans, and surrendered himself to fresh favourites. In March 1873 the Political Agent, accompanied by Wali Muhammad, withdrew from Kalat territory. In accordance with the treaty of 1854 the payment of the annual subsidy to the Khan was withheld, and he was informed that his obligations under the treaty to protect trade



and secure the peace of the frontier remained unaltered, but that, in the event of disturbances occurring on the frontier, the British Government would be compelled to take its own measures for preserving order.

With a view to securing unanimity of action in dealing with the Marris and Bugtis, the control of the relations of Government with them was in 1871 placed in the hands of the Political Superintendent of the Upper Sind Frontier, to whom the Deputy Commissioner of Dera Ghazi Khan was made subordinate in respect of these tribes. An addition to the sum of Rs. 32,400 previously paid to the tribes for service on the Punjab frontier was authorised, in order to maintain the tranquillity of the Sind and Punjab frontiers, and the money was to be paid to the Chiefs in the name of the Khan. The plan of dealing with the frontier tribes through the Khan proved ineffectual. During the rebellion against the Khan the attitude of the Marris and Bugtis was uncertain: at its close an attack, said to have been instigated by the Khan, was made by the Brahuis on the section of the Marris to which the protection of the Bolan pass had been entrusted. The Marris retaliated by plundering caravans, and a state of chronic disorder ensued. Under these circumstances the Khan was informed that until he showed both willingness and ability to put an end to plundering and outrages near the British frontier, the Government of India would take its own measures to protect its territories and subjects. Subjects of Kalat committing offences in British territory, if apprehended there, would receive the utmost penalty of the law, and if they succeeded in escaping into Kalat, would be followed and punished. At length the state of anarchy prevailing on the frontier became so intolerable that the Government of India decided to depute a special agent to effect, if possible, some settlement between the Khan and his Sardars. Captain Sandeman, the officer selected for this duty, convinced himself, during his first mission in 1875, that a *modus vivendi* could be arranged between the contending parties through the mediation of the British Government. The result of his labours was considered so far satisfactory that in the spring of the following year he was again deputed to Baluchistan; and at a Darbar held at Mastung in July 1876, he effected a formal reconciliation between the Khan and the leading Brahui Chiefs, the Baluch Chiefs being absent.

In December of the same year the Khan met His Excellency the Viceroy at Jacobabad, and a new Treaty (No. CV) was concluded on the 8th of that month. It re-affirmed the engagements made in 1854; and provided, among other things, for the location of troops in, and the construction of railway and telegraph lines through, Kalat territory;

political officers, with suitable escorts, were to be posted in the Khan's dominions; and the British Government undertook to pay the Khan an annual subsidy of one lakh of rupees, which was to be supplemented by a contribution of Rs. 20,500 a year for the development of traffic on the trade routes running through his country. This treaty was the foundation of the Baluchistan Agency. Major Sandeman was on the 21st February 1877 appointed Agent to the Governor-General, with three assistants. His head-quarters were fixed at Quetta. British troops were cantoned at Quetta and Mitri. Subsequently the territories under the political control of the Agent to the Governor-General were divided into distinct agencies of which Kalat forms one.

During the Afghan war, Mir Khudadad Khan loyally acted up to his engagements, and proved his willingness to assist the British Government by all means in his power.

In 1879 it was arranged that the district immediately surrounding Quetta should be administered by British officers, any surplus revenue being made over to the Khan. In 1883 a fresh Agreement (No. CVI) was entered into, by which Mir Khudadad Khan agreed to lease the Quetta district to the British Government for an annual rent of Rs. 25,000, and, in consideration of a yearly payment of Rs. 30,000, he at the same time surrendered his right to collect tolls on the trade passing through the Bolan pass.

In 1880 the Khan made over to the British Government with full jurisdiction (No. CVII) the lands on which the Kandahar State railway had been constructed.

In 1893 certain murders were committed at Bhag in Kalat territory, for which Mir Khudadad Khan was found to be responsible. The Khan himself asked the Government of India to accept his resignation and to recognise Mir Mahmud Khan as his successor. The Government of India, while holding that Mir Khudadad Khan's conduct would justify his deposition, decided, in consideration of the fact that he had been an ally of the British Government for many years, and in deference to his position and rank, to accept his abdication. Mir Khudadad Khan accordingly abdicated in 1893 in favour of his eldest son, Mir Mahmud Khan, who was born in 1864. Mir Mahmud Khan was installed at a darbar held for the occasion on the 10th November 1893 by the Agent to the Governor-General in Baluchistan, and was created a Grand Commander of the Indian Empire on the 11th August 1894.



Early in 1896, a joint British and Persian commission, which had been appointed to decide upon and demarcate the Perso-Baluch boundary from Kohak to Koh-i-Malik Siah, surveyed and demarcated the boundary from Kohak as far north as pillar No. 11 lying to the south-west of the Hamun-i-Mashkhel (No. CVIII). From this point northwards the boundary was not actually marked out on the ground. Owing to the failure of the Persian Government to send a surveyor to work with the British surveyor, it was simply described and marked on the then existing maps of this part of the country. These maps were subsequently found to be inaccurate. In the Agreement (No. CVIII) of the 24th March 1896, the boundary was declared to run as follows :—

“ From pillar 11 northwards, the Talab river becomes the boundary to its junction with the Mirjawa river. From the point of junction, it is carried by a straight line to the nearest point on the watershed of the Mirjawa range, which limits the drainage into the Mirjawa river on the north. Thence it follows the main watershed northward to the highest point of the Kacha Koh. From the highest point of the Kacha Koh, the line is carried straight to the highest point of the Malik Siah Koh.”

From the terms of this agreement, and from a report (dated the 23rd June 1896) submitted by the British commissioner, Colonel (now Sir Thomas) Holdich, it appeared that the intention was that, from the point where the boundary leaves the river, it should follow the main watershed of the mountains up to Koh-i-Malik Siah. Later and more accurate surveys had brought to light two points in which the description of the boundary was open to question. In the first place, doubts existed as to what was meant by the junction between the Mirjawa and Talab rivers. In the second place, the straight line from Kacha Koh to Koh-i-Malik Siah does not correspond with the watershed. The Government of India were disinclined to have recourse to demarcation on the ground, but subsequent events necessitated the re-opening of the question. In April 1901, Captain Webb Ware, the political officer in charge of the British frontier, constructed a small outpost at Mirjawa on the western bank of the Dar-i-Ghiaban which appears to have been the Mirjawa river of Colonel Holdich's border. Shortly afterwards the Belgian customs officers of the Persian Government proposed to establish a customs post at the same point, and as a result of the local tension that ensued, it was decided that the border should be demarcated by a joint British and Persian commission. Colonel McMahon was nominated as British commissioner. The arbitration proceedings, however, on which Colonel McMahon was engaged in Seistan,

were protracted far beyond the period that had been anticipated, and, in the meanwhile, Captain Webb Ware had been instructed to withdraw his post from the west to the east bank of the Dar-i-Ghiaban and had built a new post on a site called Padaha; friction had grown less; and in 1905, when Colonel McMahon's mission was about to withdraw from Seistan, the only point which immediately required settlement was that of the right to obtain supplies for the new post from the country on the west bank claimed by Persia. It was therefore decided to dispense with any actual delimitation, provided that a suitable arrangement could be concluded with the Persian Government. Eventually, on the 13th May 1905, His Majesty's Minister at Tehran signed an agreement with the Mushir-ed-Dowleh (CIX), under which Great Britain withdrew the claim to Mirjawa, while the Persian Government undertook to permit the British post at Padaha to procure water from the Mirjawa side, and due provision was made for supplies for the neighbouring British posts. In consideration of this settlement, the two Governments agreed to abandon the further examination of the boundary by a joint commission.

In 1899 Mir Mahmud Khan transferred the Nushki district and Niabat in perpetuity to the Government of India in consideration of an annual quit-rent of Rs. 9,000 (No. CX); and in 1903 he similarly transferred the Niabat of Nasirabad, including the Manjuti lands, for a quit-rent of Rs. 1,17,500 (No. CXI).

Full jurisdiction over the lands required for the Mushkaf-Bolan railway (No. CXII), and the Nushki railway (No. CXIII) was ceded by the Khan in 1894 and 1903 respectively.

The revenue of the State varies, and may be estimated at about eight lakhs of rupees a year, inclusive of the payments made to the Khan by the Government of India; the area and population of Kalat, including Kharan and Makran, are, according to estimates made in 1901 and 1903, 71,593 square miles and 470,236 souls respectively.

The military forces of Kalat consist (1905) of 225 cavalry, 111 infantry, 49 artillery men, with 9 serviceable and 20 unserviceable guns.

The Khan of Kalat is entitled to a salute of 19 guns, which was finally approved in Her Majesty's Order in Council of the 26th June 1867.

### KHARAN.

Little or nothing is known of the history of the country previous to the end of the seventeenth century, except that it appears to have formed part of the Persian province of Kirman. The Nausherwani Chiefs, round whom



local interest centres, claim descent from the Kianian Maliks, and have at different times acknowledged subordination to Persia, Kalat, and Afghanistan. There is evidence that in the time of Nadir Shah (*circa* 1734) Kharan was still included in Kirman, but Nasir Khan I appears to have brought it under the control of Kalat, and the country remained under that State until quarrels between Mir Khudadad Khan and Azad Khan, in the middle of the nineteenth century, threw the latter into the arms of Afghanistan. In 1884 the Agent to the Governor-General visited Kharan and succeeded in settling the chief points of difference between Azad Khan and Khudadad Khan, and the former acknowledged allegiance to the Khan of Kalat by taking his place among the Sarawan Sardars at a Darbar held at Panjgur. In 1885 a Settlement (No. CXIV) was made with Sardar Azad Khan, by which he undertook to do certain tribal service in consideration of an annual payment of Rs. 6,000. Azad Khan died in 1885, at the reputed age of 99, and was succeeded by his son, Nauroz Khan. The settlement of 1885, which had been made with Azad Khan, was continued with Nauroz Khan. In 1888 Sardar Nauroz Khan was created a Knight Commander of the dian Empire.

Besides Kharan the Sardar holds lands in Panjgur, and he lays claim to Kohak and other places, which are within the Persian boundary.

According to an estimate made in 1903, the area of Kharan is 14,210 square miles, and its population 19,610.

### MAKRAN.

Kej is the name of a valley or tract in the south-west of Baluchistan. It was formerly the seat of the rulers of Makran, when the several provinces of that country were united under the government of the Malik family. The Maliks were ousted by the Boleda family in the latter part of the seventeenth century, and Makran became divided into separate chiefships. The Boleda Amirs probably ruled over Kej for about three generations, when it fell into the hands of the Gichkis, who are of Rajput extraction. During the rule of Nasir Khan of Kalat the Gichkis agreed to pay half the revenues of Kej to the Khan on condition that he protected them from external aggression. The Gichki Sardar was to manage the internal affairs of the country, but the Khan was empowered to appoint a Naib to look after his own share of the revenues. The Kalat Chief frequently selected for this post the Gichki Sardar for the time being, but for some years prior to 1889 the two offices were held by different men, Mir



Bahi Khan being the hereditary Sardar, and Mir Shahdad Khan the Kalat Naib. In 1889 Mir Bahi Khan represented that the appointment of Mir Shahdad Khan was distasteful to him, and the Khan of Kalat consented to appoint another Naib in his stead in consultation with the Sardar. It was further agreed at this time that the new Naib should not interfere with the affairs of the Gichki tribes, which were to remain as heretofore in the hands of the Gichki Sardar, except so far as concerned the collection of half the revenue, which is the Khan's due. On Mir Shahdad Khan's removal from the office of Naib, which was not finally carried out till 1891, Mir Mauladad Khan was temporarily appointed in his stead to assist the Gichki Chief in the collection of revenue and the general administration of the country. In April 1892 Mir Abdul Karim, the cousin of the Gichki Sardar, was provisionally appointed as the Khan of Kalat's Naib in Kej. Mir Bahi Khan died on the 7th of January 1891, and was succeeded by his son, Shah Umar, the present Gichki Sardar in Kej. The population of Kej is about 10,000 souls.

In 1896 the civil administration of Makran underwent a change, and both the Kej and Panjgur Niabats (see *infra*) were united in one charge, under an official styled the Nazim, with assistants at Kej and Panjgur.

In 1898 Mir Mehrab Khan, Gichki, aided by Mir Baluch Khan, Nausherwani, a relative of Sir Nauroz Khan, the Chief of Kharan, revolted against the authority of the Nazim. The latter was made a prisoner by Mir Mehrab Khan, who had obtained possession of the Turbat fort, while Mir Baluch Khan attacked the camp of a British officer who was then surveying in Kolwah. A British force was despatched for the relief of the Nazim. Mir Baluch Khan was eventually killed in an engagement at the Gok Prusht pass near Turbat, and his following dispersed. Mir Mehrab Khan, however, escaped, but submitted after about a year, and was granted a pardon. Mir Mehrulla Khan, Raisani, the uncle of the present Sarawan Sardar, was then appointed Nazim, under whose rule the administration of the country is now (1906) conducted.

In 1902 a combined Jirga of Persian and Baluchistan Sardars, with the approval of the Political Agent, Kalat, and the Governor-General of Kerman, adopted\* certain measures for the periodical settlement of cases occurring between the subjects of the Persian Government and the Kalat State. Among other provisions of the settlement it was agreed that there should be an annual meeting near the Persian border between the Nazim of Makran and the Deputy Governor of Bampur for the decision of border

\* See Appendix No. 111.



cases. At the same time the Governor-General undertook\* to do all in his power to check the traffic in arms through Persian Baluchistan.

In 1904 an assistant political agent was appointed to Makran. At the same time a levy corps was raised for the protection of the western border of Makran, of which the assistant political agent is *ex-officio* commandant.

According to an estimate made in 1903, the area of Makran is 26,606 square miles, and its population 78,195.

To the west of Kej lie a number of petty Chiefships, which, under Boleda and Gichki rule, formed part of Makran. Dissensions among these Chiefs and their raids on Persian territory afforded Persia opportunities, which she was not slow to improve, of extending her frontier to the eastward until she had not only exacted tribute from the whole of Makran west of Kej, except a portion of the sea coast about Charbar and Gwadar, but had asserted claims of sovereignty over Kej and its dependencies, which were under the authority of the Khan of Kalat.

The British Government, having treaty relations with Kalat, could not view with indifference the threats of aggression which were constantly held over the Khan's subjects in Kej, and the expediency of putting a stop to these proceedings on the part of the Persian frontier authorities was impressed on the minister of the Shah. A proposal was then made by the Shah that the boundaries between Persia, and Kalat should be defined by commissioners on the part of England, Persia, and Kalat. To this the British Government assented, and the commissioners met on the frontier. The discussion was terminated at Tehran by the acceptance by the Shah in September 1871 of the opinion contained in a memorandum by Major-General Goldsmid, the British commissioner. According to this memorandum Panjgur and Parom and their dependencies, with Kohak, Boleda, including Zamiran, and their dependencies, Mand, including Tump, Nasirabad, Kej and all districts, dehs, and dependencies to the eastward and Dasht with its dependencies as far as the sea, were declared to be beyond the Persian frontier.

Claims were afterwards put forward by Persia to the small district of Kohak below the frontier districts of Jalk and Kalagan on the Persian side. Without pronouncing any opinion as to whether Kohak was Persian territory or not, the British Government agreed that the boundary line of Kalat should be drawn to the east of Kohak. Kohak was occupied by the Persians in May 1874, and was formally included in Persia in 1896 by the Perso-Baluch Boundary Commission Agreement (see No. CVIII).

\*See Appendix No. IV



*Panjgur* is a district lying to the south-west of Kharan and the north of Kej. It came under the Khan of Kalat in the time of Nasir Khan. The inhabited and cultivated part of Panjgur consists of a dozen villages or settlements in the extensive date groves along the banks of the Rakhshan river. Here also the Gichki tribe and family are predominant. The administrative arrangements as between the Gichki Chief and the Khan of Kalat are similar to those obtaining in Kej.

There used to be much hostility and raiding between the Gichkis of Panjgur and the Nausherwanis under Azad Khan of Kharan, who claimed a share in Panjgur revenues. The last conflict of importance was at the end of 1882, when the Nausherwanis defeated a Panjgur force under the Gichki Sardar, Mir Gajian, who was himself killed. Sir Robert Sandeman visited Panjgur in 1884 and laid down the lines of a settlement of affairs there. This recognised Amir Khan, now called Abdulla Khan, the minor son of Mir Gajian, as the Gichki Sardar, the claim of his cousin, Muhammad Hasan, being rejected. The young Sardar was placed under the guardianship of his uncle, Muhammad Ali, who was to act as Sardar, and was also appointed to be the Khan's Naib. At the same time the Kharan Sardar's right to share in the revenues of three of the Panjgur villages was admitted, Azad Khan undertaking to prevent his tribe from raiding on Panjgur. Mir Abdulla Khan was granted full powers as Sardar in 1894, on the responsibility of certain headmen, his uncle continuing as Naib.

*Boleda* is a valley containing five villages and lying between Panjgur and Kej. The principal man in Boleda is a Nausherwani connected with the Kharan Sardar's family. The Khan of Kalat has a claim to share in the revenue of some of the Boleda villages.

*Tump* is a small district consisting of about 15 villages and lies about 30 miles to the west of Kej. It belongs to the Gichkis. The principal Gichki Sardar is Mir Murad, who lives at Tump itself. The Khan of Kalat has a claim to share in the revenue of the Tump district, and also in that of the tracts called Dasht and Kolanch lying to the south.

*Mand* is a district lying to the west of Tump, a continuation of the same valley up the boundary of the Persian district of Pishin, which has been settled as shown above.

The dominant tribe in Mand are the Rinds, who have about a dozen villages. They used to give trouble by raiding over the Persian border and towards Gwadar. They are recognised by the Government of India



as subjects of the Khan of Kalat, but he has practically exercised no control over them, and they pay him no revenue.

*Makran Telegraph Line.*—Since 1861 various agreements have been entered into, from time to time, with some of the foregoing Chiefs, in connection with the construction and protection of the Makran telegraph line. The first one was made with the Jam of Las Bela in December 1861 (No. CXV), whereby he was granted a subsidy of Rs. 10,000 a year for the protection of the portion of the line passing through his territory. In January 1862 a similar Agreement (No. CXVI) was made with Mir Fakir Muhammad, at that time the Khan of Kalat's Naib in Kej, for the protection of the line from Kalmat to Gwadar. These agreements were made with the expressed knowledge and consent of the Khan of Kalat, and were approved by the Government of India in August 1862. At the same time it was proposed that an agreement should be made with the Khan of Kalat setting forth that, in consideration of the sum of Rs. 16,000 being annually paid into the hands of the Political Agent at Kalat, to be disbursed by him to the Jam of Las Bela (Rs. 10,000) and to the Naib of Kej (Rs. 6,000) for the protection of the line of telegraph, the Khan would undertake to do all in his power to maintain the line. Subsequently an Agreement (No. CXVII) dated the 20th February 1863 was concluded with the Khan, whereby, in return for an annual subsidy of Rs. 5,000, he undertook the protection of the line between the western boundary of the province under the rule of the Jam of Las Bela and the eastern boundary of the Gwadar territory. Under article 6 of the agreement the Khan was to suggest in what proportions he wished the Political Agent to distribute the sum to the various Chiefs to whom he would entrust the conservation of the line. In May 1863, however, it was ordered that as Kalat was in the hands of the revolted Baluchis, the engagement should be considered in abeyance. In the same month the Government of India sanctioned the increase of the Jam's subsidy to Rs. 15,000.

In December 1863 it was decided that the Naib of Kej's subsidy under the agreement of January 1862 should be fixed at Rs. 5,000 a year and that Rs. 1,000 a year should be granted to Bahram Khan of Pasni for the protection of the line through Pasni.

In 1869, in continuation of the agreement of 1862, another one was made with the Naib of Kej (No. CXVIII), whereby in return for a subsidy of Rs. 1,500 a year he undertook on behalf of himself and Mir Bhaian, Gichki, the protection of the line from Gwadar to the Baho boundary.



The cost of the line riders was to be deducted from the subsidy by the telegraph superintendent.

In the same year Jam Mir Khan, then ruler of Las Bela, rebelled against the Khan and was defeated ; his country lapsed to the Khan and the subsidy of Rs. 15,000 as well as the conditions for the protection of the line were also transferred to him. In August 1870, owing to the difficulty experienced in protecting the line from Kalat, the Khan agreed (No. CXIX) to pay Rs. 6,600 a year to the telegraph department to arrange for guards, etc. He also consented to allow the ex-Jam of Las Bela Rs. 8,000 a year so long as the latter remained under British protection. The balance of Rs. 400 out of the subsidy of Rs. 15,000 was retained by the Khan. This arrangement took effect from the 1st January 1870. Subsequently, in 1877, Mir Khan was allowed to return to Las Bela, and it was decided in November of that year to revert to the terms of the agreement of 1861, and to pay the whole amount of Rs. 15,000 to the Jam direct.

In 1881 an annual subsidy of Rs. 480 was granted to Mir Mandu, the Chief of Chahbar in Kolwah, but no agreement was taken from him. Before that time the Jam of Las Bela appears to have paid this amount to the Chief out of his own subsidy, for the protection of the line near Ormara. On Mir Mandu's death in 1883 it was continued to his son, Mir Yar Muhammad.

In July 1891 it was decided to pay the Kej subsidies through the administrative officer of Kej-Makran. After Fakir Muhammad's death the sums had been equally divided among Sardar Bhai Khan and Shahdad, less Rs. 1,980, which had been paid by the telegraph department to the line guards. In 1895 a similar arrangement was made whereby the Pasni and Chahbar subsidies were to be disbursed to the Chiefs through the Political Agent, Southern Baluchistan. This system having proved unsuccessful, it was decided in June 1899 to revert to the method by which the Kej, Pasni, and Chahbar subsidies were paid direct to the Chiefs by the Persian Gulf Telegraph Department. At that time the Kej subsidy was shared by Sardar Shaikh Umar Gichki, and Mir Abdul Karim Gichki, Naib of Kej ; but it was then decided to redistribute the amount as follows, Rs. 2,260 to Mir Mehrab Khan Gichki, and Rs. 1,130 each to Mir Abdul Kharim Gichki and Mir Shah Kasim Khan Gichki.

In June 1899 an Agreement (No. CXX) was entered into with Mir Mahmud Khan, Kalmati, of Pasni for the protection of the telegraph line in Pasni on conditions similar to those which had been made with his father, Bahram Khan.



The total of the subsidies payable to Chiefs and others in Baluchistan for the protection of the telegraph line in Las Bela and Makran amounts, therefore, to Rs. 22,980, which is at present distributed as follows:—

	Amount paid annually to the Chiefs.	Amount paid direct by the Director General, Persian Telegraphs, to the Telegraph establish- ment.	TOTAL.
	Rs.	Rs.	Rs.
1. Jam of Las Bela . . . . .	8,400	6,600	15,000
2. Mir Mehrab Khan Gichki . . . . .	2,260	1,980	6,500
Mir Abdul Karim Gichki . . . . .	1,130		
Mir Shah Kasim Gichki . . . . .	1,130		
3. Mir Mohammad Kalmati of Pasni . . . . .	520	480	1,000
4. Mir Mandu Bezanjo of Kolwah . . . . .	480		480
			<u>22,980</u>

The distribution of the whole amount is made by the Director, Persian Gulf Telegraphs.

It may be noted that similar Engagements (Nos. CXXI and CXXII) were made in 1869 with the Persian Baluchistan Chiefs (1) of Bahu and Dashtyari for the protection of the telegraph line from Kej to Chahbar, and (2) of Geh for the security of the portion from Chahbar to Sadeich, by which the two former received annual subsidies of Rs. 1,000 each and the latter Rs. 3,000. In 1899 the following redistribution was made:—

*Geh district.*

	Rs.
To the Chief of Geh . . . . .	1,000 per annum
To nine local headmen of the Geh district . . . . .	1,400 " "
Reserved as contribution towards the pay of a Native assistant at Bampur . . . . .	600 " "
TOTAL . . . . .	<u>3,000</u>

*Dashtyari district.*

	Rs.
To the Chief of Dashtyari . . . . .	600 per annum
To three local headmen of Dashtyari . . . . .	400 " "
TOTAL . . . . .	<u>1,000</u>

In 1902 the Bahu subsidy was divided as follows between the two joint Chiefs of Bahu:—

	Rs.	
To Sardar Ashraf Khan . . . . .	600 0 0	per annum
To Mir Ahmad Khan . . . . .	400 0 0	" "
Total . . . . .	1,000	

From the 1st January 1904 the Geh subsidy was again redistributed as follows:—

	Rs.	
To the Chief of Geh . . . . .	1,000	per annum
To eleven local headmen . . . . .	1,600	" "
Reserved for the pay of a Native assistant at Bampur, but at present available for special presents . . . . .	400	" "
TOTAL . . . . .	3,000 0 0	

From the 1st January 1904 the local headmen of the Dashtyari district were dispensed with and the annual subsidy of Rs. 1,000 was paid to the two joint Chiefs of the district as follows:—

	Rs.	
To Mir Abdi Khan . . . . .	500 0 0	per annum
To Mir Muhammad Khan . . . . .	500 0 0	" "
TOTAL . . . . .	1,000 0 0	

The Chiefs of Jask also receive small allowances, amounting to Rs. 840, for the same purpose.

In September 1904 the Director of Persian Gulf Telegraphs was appointed an Assistant to the Political Agent, Kalat, and a Justice of the Peace within the limits of Kalat and Las Bela, with powers to commit European British subjects to the Chief Court of the Punjab.

### LAS BELA.

The Chiefship of Las Bela lies on the southern coast of Baluchistan. It is bounded on the north by the Jhalawan division of Kalat, on the south by the Arabian Sea, on the east by the Kirthar range, which separates it from Sind, and on the west by the Hala offshoot of the Pab range. Its early history is wrapped in obscurity, but the army of Alexander the Great appears to have marched through the southern part of the State in 325 B. C. In the seventh century its ruler seems to have been a Buddhist priest. The country lay on the route followed by the Arab General, Muhammad bin Kasim, and Buddhism probably gave place to Islam about this time. Little



is known about the succeeding period, but Chiefs of the Gujar, Runjha, Gunga and Burfat tribes, which are still to be found in Las Bela, are said to have exercised a semi-independent sway previous to the rise of the Aliani family of the Jamot tribe of Kureshi Arabs, to which the present ruling Chief, known as the Jam, belongs. The following is a list of the Aliani Jams with the probable dates of their succession:—

- |                                                 |                                            |
|-------------------------------------------------|--------------------------------------------|
| 1. Jam Ali Khan I (surnamed Kathuria), 1742-43. | 4. Jam Ali Khan II, 1818.                  |
| 2. Jam Ghulam Shah, 1765-66.                    | 5. Jam Mir Khan II, 1830 ( <i>circa</i> ). |
| 3. Jam Mir Khan I, 1776.                        | 6. Jam Ali Khan III, 1888.                 |
| 7. Jam Kamal Khan, 1896.                        |                                            |

The Jams appear to have held the province on some kind of tenure from the Khans of Kalat, the original conditions of which were that the Jam should acknowledge the supremacy of the Khan and maintain a body of troops for service when required.

Jam Mir Khan II for several years endeavoured to throw off allegiance to Kalat and make himself independent. The last occasion was in 1868, when the Jhalawan Brahuis, with his connivance, laid waste the Khan of Kalat's territories. On this occasion he appropriated the revenues of two State villages, and threatened to renew hostilities with the Khan. The latter took the initiative and sent a force against the Jam, who sought refuge in British territory. At the instance of the British Government the Khan allowed him an income of Rs. 8,000 a year, on condition that he remained within the British borders and abstained from intriguing in the affairs of Kalat. This allowance the Jam declined to receive. He lived for a time at Karachi, but as he still continued to foment rebellion in Kalat and to hold treasonable correspondence with the subjects of the Khan, he was deported to Hyderabad (Sind), and thence to Poona. In 1874 his son, Jam Ali Khan, escaped from Hyderabad, where he was under surveillance, and returned to Bela, which he ruled for the next three years. In 1877 Jam Mir Khan II was pardoned and restored to his former position. After his restoration he quarrelled with his son, Jam Ali Khan, who was deported from Bela and detained under surveillance at Sibi till his father's death. In 1879 Jam Mir Khan II was granted a personal salute of nine guns. He died in January 1888. The succession was disputed, but eventually Jam Ali, who had been made a Companion of the Indian Empire in 1878, was acknowledged as the Chief by Government, and was installed, by the Agent to the Governor-General, on the 21st January 1889, on certain conditions (No. CXXIII). Jam Ali Khan III was granted a personal salute of nine guns

in 1889 and was created a Knight Commander of the Indian Empire in 1893. He died at Las Bela of pneumonia on the 14th January 1895, and was succeeded by his eldest son, Mir Kamal Khan, who was formally installed in May of the same year. Mir Kamal Khan on his accession subscribed to certain conditions (No. CXXIV), the most important of which was the stipulation that, for five years at least after his accession, he would delegate all powers of administration to the wazir selected by the Government of India. In 1901 these conditions were modified (No. CXXV), but the Jam is still required to employ a wazir approved by the Agent to the Governor-General, and to act in accordance with his advice.

The area of the State is 6,441 square miles; the average revenue is about Rs. 2,00,000; and the population 56,109.

The armed forces of Las Bela consist (1905) of 36 cavalry, 212 infantry, 100 armed police, and 5 serviceable guns.

#### THE MARRI AND BUGTI TRIBAL COUNTRY.

These tribes occupy a tract of country in the Sibi Agency situated at the southern end of the Suliman range. The northern part, the area of which is 3,268 square miles, belongs to the Marris, and the southern part, 3,861 square miles, to the Bugtis. They are the strongest Baloch tribes in the province. Their total population in 1901 was 38,919. The three important clans of the Marris are the Gaznis, Loharani-Shirani, and Bijrani. The Bugtis include the Pairozani Nothani, Durragh Nothani, Khalpar, Massori, Mondrani, Shambani, and Raheja. The Chiefs levy no revenue, but usually receive a sheep or a goat from each flock when visiting different parts of their country.

The early history of both tribes is obscure. The Marris are known to have driven out the Kupchanis and Hasnis, while the Bugtis conquered the Buledis. Owing to the great poverty of their country both tribes were continuously engaged in plunder and carried their predatory expeditions far into the adjoining localities. They came into contact with the British during the first Afghan war, when a British force penetrated their hills. In April 1840 a small detachment was sent to occupy Kahan and guard the flank of the lines of communication with Afghanistan, but it was invested for five months and two attempts at relief were beaten off. The fort was, however, only surrendered after a safe retreat had been secured from Doda Khan, the Marri Chief. In 1845 Sir Charles Napier conducted a campaign against the Bugtis, who fled to the Khetrans, and the expedition was only a qualified success. Sir John Jacob, after much trouble with



both tribes, but especially with the Bugtis, settled some of the latter on irrigated lands in Sind in 1847, but many of them shortly afterwards again fled to their native hills. Both tribes were subsidised by the Khan of Kalat after the treaty of 1854, but in 1859 Mir Khudadad Khan was obliged to make an expedition against the Marris accompanied by Major (afterwards Sir Henry) Green. Another unsuccessful campaign followed in 1862. Their position in a knot of difficult hills interposing between the Punjab frontier, the upper Sind frontier, and the Kalat and Afghan districts of Kachi and Sibi, enabled them to carry on for years, almost with impunity, a system of raids on every side. Previous to 1867 the Punjab authorities had attempted to control them by enlisting into their service some of the subordinate Bugti Chiefs with their clansmen, giving them land rent free, and places in the border militia. This policy, however, proved unsuccessful, partly owing to jealousies among the remaining Chiefs who had not been dealt with similarly, and partly to the difference of policy pursued by the Sind Government in its dealings with the portions of the tribes on its frontier. In 1867, therefore, Captain (afterwards Sir Robert) Sandeman endeavoured to extend the same policy towards the Marris, who up to this time had been excluded from all friendly intercourse with the British, and a meeting took place at Rajanpur, at which the Khetran, Bugti, and Marri Chiefs, with one exception, were present. As a result it was arranged to place ten police sowars at the Marri capital of Kahan, and to bestow five places in the frontier militia on the Chiefs of the tribe. Similar action was taken in regard to the Bugti Chiefs. Some success attended these measures so far as the Punjab frontier was concerned, but the tribes continued to raid the Sind border. In February 1871 a conference of officials of the Punjab and Sind was held at Mithankot with a view to secure unanimity of action in the management of the tribes. In accordance with the suggestions then made, it was determined that (1) the control of the relations of Government with these tribes should be placed in the hands of the Political Superintendent, Upper Sind Frontier, and that the Deputy Commissioner of Dera Ghazi Khan, in respect of these tribes, should be placed under him; (2) in addition to the sums which had previously been paid to the tribes for service on the border of the Punjab, Rs. 32,040 should be paid annually for the entertainment of horsemen belonging to the tribes to maintain the tranquillity of the Sind as well as the Punjab frontier, and of the Kalat territory. The amount was to be handed over to the Chiefs in the name of the Khan. The payment was provisional for one year. The rebellion against the Khan which broke out in Kalat in October 1871, and



the troubles which followed, prevented the execution of the second of the measures decided on at Mithankot, except for the payment of a small subsidy, Rs. 5,520, to the Bugtis who had behaved themselves. The state of affairs continued unsatisfactory. At length, in 1875, it was decided to put an end to the dual system of management from the Punjab and Sind. The conduct of the tribes was to be considered as a whole; and the Deputy Commissioner of Dera Ghazi Khan was to be the medium of intercourse and communications with the Marris and Bugtis in all their branches, though under the orders of the Commissioner of Sind. In November 1875 Captain Sandeman was deputed to the hills to try and bring about an amicable settlement of the tribal quarrels, and to provide for the security of the Bolan route. He succeeded in getting the Brahui, Marri, and Bugti Chiefs to accompany him to Kalat, and to attend a darbar held by the Khan. The result, however, was not completely satisfactory, as rebellions and raids continued. Captain Sandeman was despatched on a second mission to Kalat in 1876, from which resulted the Treaty of Jacobabad (see No. CV) and a reconciliation between the Khan and his rebellious Sardars. It was then decided to continue to the Bugtis and the Marris the allowances paid since 1875 and to deal with them independently of the Khan. On the establishment, in February 1877, of the Baluchistan Agency relations with the Marris and Bugtis became closer. The Bugtis have throughout behaved well. With the Marris relations remained on a tolerably satisfactory footing till the disaster of Maiwand in 1880. On hearing of this the Marris broke out again, and, besides committing other acts of violence, they attacked and looted a heavily laden Government convoy on the Harnai line in August 1880. General MacGregor was sent into their country with a force to exact retribution for these outrages. The Marris were unable to offer any resistance; and their two leading Chiefs, Mehrulla Khan and Karam Khan, came in and accepted the terms laid down by Government. These were (1) the restitution of the treasure and bullocks plundered from the convoy; (2) the payment of a fine of Rs. 20,000 to compensate private losses; (3) the payment of blood money according to tribal custom for those slain; (4) that no opposition should be offered to the troops marching through the Marri country by Kahan to Harrand; and (5) that hostages should be given for the future good behaviour of the clan. The tribe complied with these conditions, and friendly relations were resumed on the former basis of tribal payments and service. Since then the Marris have given little trouble, with the exception of the part they took in the Sunari outrage in 1896, in which they killed eleven men, and of some



unrest which occurred in 1898 and ended in the son of the Marri Chief emigrating temporarily to Afghanistan.

Both tribes are under the control of the Political Agent in Sibi. The task of the political officers is chiefly confined to the settlement of inter-tribal cases either between the Marris and Bugtis themselves, whose relations are frequently strained, or with the neighbouring tribes of the Loralai district and the Punjab.

Petroleum having been discovered in the Marri country, the Tuman-dar, Sardar Mehrulla Khan, executed in October 1885 an Agreement (No. CXXVI) by which he ceded to the British Government his rights to petroleum and all other mineral oils in consideration of an annual cash payment. This agreement is not now in operation, as the wells have been abandoned.

The title of Nawab was conferred in 1889 on both Mehrulla Khan, Chief of the Marris, and Shahbaz Khan, Chief of the Bugtis. Nawab Shahbaz Khan, Bugti, was created a Knight Commander of the Indian Empire in 1901. Nawab Mehrulla Khan, Marri, died on the 15th March 1902, and was succeeded by his son, Mir Khair Bakhsh Khan, Khan Bahadur, who was granted the title of Nawab in 1903.

#### BRITISH BALUCHISTAN AND AGENCY TERRITORIES.

British Baluchistan: the tahsils of Shahrig, Sibi, Duki, Pishin with Shorarud and the Chaman sub-division. Agency territories: the assigned districts, the Chagai and western Sinjerani country, and the Zhob and Loralai agencies, except the Duki tahsil.

The frontier districts of Pishin and Sibi with their dependencies Shorarud, Thal-Chotiali and Harnai are under the administration of the Agent to the Governor-General in Baluchistan. Till 1878 they formed part of the dominions of the Amir of Afghanistan. When war with Afghanistan was declared in that year they were immediately occupied by British troops, and under the treaty of Gandamak (see Afghanistan) executed in May 1879, their administration was to remain with the British Government, any surplus revenue being paid to the Amir. In September 1879, however, war broke out again, and ended in the abdication of Yakub Khan and the accession to power of Amir Abdur Rahman Khan. He was informed that these districts had ceased to form part of Afghanistan; and they have since remained in the possession of the British Government. They were incorporated with British India in the year 1887, and are officially known as the province of British Baluchistan.

To the north of Harnai and Thal-Chotiali lie the valleys of Bori and Zhob. In consequence of outrages committed by the Kakars of Zhob a



punitive expedition was sent against them. It was on the whole successful. Shah Jahan, the leading Zhob Chief, was deposed, a relation, Sardar Shahbaz Khan, being set up in his stead. An Agreement (No. CXXVII) was taken in November 1884 from the Maliks of Zhob, Bori and the Musa Khel, by which they undertook to put a stop to raiding into British territory; to prevent Shah Jahan and his chief adherent, Saifulla Khan, from returning to Zhob; to pay a fine of Rs. 22,000; and to raise no opposition to the location in Zhob and Bori of British troops. In 1887 a British force was stationed at Loralai in the Bori valley for the protection of the frontier road from Dera Ghazi Khan to Pishin. In the same year Bori and the country of the Khetran tribes, lying between Thal-Chotiali and the Punjab, were brought, with the acquiescence of the Chiefs and people, more directly under the political and administrative control of the Baluchistan Agency. About the same time Shah Jahan and Saifulla Khan submitted, and were permitted to return to their homes; and Sardar Shahbaz Khan, who was in delicate health, deputed his authority to Shah Jahan's eldest surviving son, Shingul Khan.

In 1888-89 Sardar Shahbaz Khan, Shah Jahan Khan, Shingul Khan and the chief Zhob Maliks made a request that Zhob as well as Bori might be brought under more direct British control, and enjoy the security which results from this control. When it was decided in 1889-90 to open up the Gomal pass the occupation of Zhob was sanctioned, and a political agent was appointed to take charge of the district, in which were included Bori, and the country of the Khetran, Kibzais, and Musa Khel. The country of the Bargha Shiranis, Zimarais, Isots, Jafirs, and Kharshins, tribes occupying different parts of the Suliman range and intervening between Zhob and the Punjab, was subsequently added to the district. In 1903 the Bori valley with the Barkhan, Musa Khel, and Thal-Chotiali (Duki) tahsils, and the Sinjawi sub-tahsil were formed into a separate district, called the Loralai district.

In 1890 the Government of India decided that the line of the Gomal river, between its junction with the Kundar and the Zhob rivers, should be the limit of tribal jurisdiction between the North-West Frontier Agency (then the Punjab Government) and the Baluchistan Agency.

By the Durand agreement of 1893 the Sinjerani country, extending from Chagai to Seistan, came under the administration of the Baluchistan Agency. The boundary of this tract was demarcated in 1896, and a road suitable for camel traffic was constructed in 1897-99 between Quetta, Nushki and Seistan. The Quetta-Nushki railway was opened at the close of 1905.



At the beginning of 1890 negotiations, in connection with the opening of the Gomal pass, were entered into with the Bargha Shiranis, as a result of which they were taken into service (No. CXXVIII), and given an allowance of Rs. 7,680 a year. In 1891 the arrangement, which had been made after the Zhob expedition of 1890, was confirmed by the Government of India, whereby the Bargha Shiranis were placed under the Baluchistan Agency. In the same year the tribe was called upon to pay revenue for the first time. In 1894 the Bargha Shiranis agreed to submit a long standing boundary dispute with the Mianis to the political authorities for arbitration and accepted their decision. In 1895 the boundary line between the Bargha and Largha Shiranis, who are under the jurisdiction of the North-West Frontier Agency, was settled with the consent of both parties (No. CXXIX). In the same year the tribe was fined Rs. 4,200 for its complicity in certain outrages committed on the Dhana road in the Shirani country, when Lieutenant Home, R.E., and his attendants were murdered. The Bargha Shiranis rendered loyal assistance in 1902 during the disturbance connected with the murder of Arab Farid Khan, Extra Assistant Commissioner in the Largha Shirani country.

In 1897 an Agreement (No. CXXX) was made with the Suliman Khel Ghilzais, whereby the sections of the tribe in the Zhob district were to pay *tirni* (grazing fees) for their animals while grazing within the British border, and, among other conditions, to be responsible for the good behaviour of their sections while within the Zhob tracts, and for the detection of offences committed within the limits where their sections resided. They were, in return, granted an annual allowance of Rs. 1,550. Owing to the difficulty, however, of collecting the *tirni* from the sections of the tribe on the Punjab frontier, the agreement remained inoperative in 1898, but the sections in the Zhob district then agreed in writing to act independently of their brethren in this matter for the future, and since 1899 the allowances have been regularly paid.

## No. CI.

ARTICLES of an ENGAGEMENT concluded between the BRITISH GOVERNMENT and MEHRAB KHAN, the Chief of Kalat,—  
1839.

WHEREAS a Treaty of lasting friendship has been concluded between the British Government and His Majesty Shah Shuja-ul-Mulk, and Mehrab Khan, the Chief of Kalat, as well as his predecessors, has always paid homage to the Royal House of the Saddozais; therefore, with the advice and consent of the Shah, the undermentioned Articles have been agreed upon by Mehrab Khan and his descendants from generation to generation. As long as the Khan performs good service, the following Articles will be fulfilled and preserved :—

## ARTICLE 1.

As Nasir Khan and his descendants, as well as his tribe and sons, held possession of the country of Kalat, Kachhi, Khorstan, Makran, Kej, Bela and the port of Soumiani in the time of the lamented Ahmad Shah Durani they will in future be masters of their country in the same manner.

## ARTICLE 2.

The English Government will never interfere between the Khan, his dependants, and subjects, particularly lend no assistance to Shah Nawaz Fateh Khan, and the descendants of the Mahabbatzai branch of the family, but always exert itself to put away evil from his house. In case of His Majesty the Shah's displeasure with the Khan of Kalat, the English Government will exert itself to the utmost to remove the same in a manner which may be agreeable to the Shah and according to the rights of the Khan.

## ARTICLE 3.

As long as the British army continues in the country of Khorasan, the British Government agrees to pay to Mehrab Khan the sum of one and a half lakh of Company's rupees from the date of this engagement by half-yearly instalments.

## ARTICLE 4.

In return for this sum the Khan, while he pays homage to the Shah and continues in friendship with the British nation agrees to use his best endeavours to procure supplies, carriage, and guards to protect provisions and stores going and coming from Shikarpur by the route of Rozan, Dadar, the Pass of Bolan, through Shal to Kuchlak from one frontier to another.

## ARTICLE 5.

All provisions and carriage which may be obtained through the means of the Khan, the price of the same is to be paid without hesitation.



## ARTICLE 6.

As much as Mehrab shows his friendship to the British Government by service and fidelity to the Saddozai family, so much the friendship will be increased between him and the British Government and on this he should have the fullest reliance and confidence.

This agreement having been concluded, signed and sealed by Lieutenant-Colonel Sir Alexander Burnes, Kt., Envoy on the part of the Right Hon'ble George, Lord Auckland, G.C.B., Governor-General of India and Mehrab Khan, of Kalat, on the part of himself, the same shall be duly ratified by the Right Hon'ble the Governor-General.

*Done at Kalat, the 28th day of March, A.D. 1839, corresponding with the 12th day of Muharram, A.H. 1255.*

A. BURNES,  
*Envoy to Kalat.*

## No. CII.

TREATY entered into between the GOVERNMENT OF INDIA and MEER NUSSEER KHAN, Chief of Khelat,—1841.

Whereas Meer Nusseer Khan, son of Mehrab Khan, deceased, having tendered his allegiance and submission, the British Government and His Majesty Shah Suja-ool-moolk recognise him, the said Nusseer Khan, and his descendants as Chief of the principality of Khelati-Nusseer on the following terms:—

## ARTICLE 1.

Meer Nusseer Khan acknowledges himself and his descendants the vassals of the King of Cabool, in like manner as his ancestors were formerly the vassals of His Majesty's ancestors.

## ARTICLE 2.

Of the tracts of country resumed on the death of Meer Mehrab Khan, namely, Cutchee, Moostung, and Shawl, the two first will be restored to Meer Nusseer Khan and his descendants through the kindness of His Majesty Shah Suja-ool-moolk.

## ARTICLE 3.

Should it be deemed necessary to station troops, whether belonging to the Honourable Company or Shah Suja-ool-moolk, in any part of the territory of Khelat, they shall occupy such positions as may be thought advisable.

## ARTICLE 4.

Meer Nusseer Khan, his heirs and successors, will always be guided by the advice of the British officer residing at his Durbar.

## ARTICLE 5.

The passage of merchants and others into Afghanistan from the river Indus on the one side, and from the sea-port of Soumeeanee on the other, shall be protected by Meer Nusseer Khan as far as practicable, nor will any aggression be practised on such persons, or any undue exactions made beyond an equitable toll to be fixed by the British Government and Meer Nusseer Khan.

## ARTICLE 6.

Meer Nusseer Khan binds himself, his heirs and successors, not to hold any political communication or enter into any negotiations with foreign powers without the consent of the British Government and of His Majesty Shah Suja-ool-moolk, and in all cases to act in subordinate co-operation with the governments of British India and of the Shah; but the usual amicable correspondence with neighbours to continue as heretofore.

## ARTICLE 7.

In case of an attack on Meer Nusseer Khan by an open enemy, or of any difference arising between him and any foreign power, the British Government will afford him assistance or good offices as it may judge to be necessary or proper for the maintenance of his rights.

## ARTICLE 8.

Meer Nusseer Khan will make due provision for the support of Shah Newaz Khan, either by pension to be paid through the British Government, on condition of that Chief residing within the British territory, or by grant of estates within Khelat possessions, as may hereafter be decided by the British Government.

*Done at Khelat this 6th day of October A.D. 1841, corresponding with the 20th Shaban A.H. 1257.*

Seal.

(Sd.) MEER NUSSEER  
KHAN.

Seal.

(Sd.) AUCKLAND.

Ratified and signed by the Right Honourable the Governor-General of India in Council, at Fort William in Bengal, this 10th day of January 1842.

(Sd.) T. H. MADDOCK,

*Secretary to the Government of India.*



## No. CIII.

TREATY between the BRITISH GOVERNMENT and NUSSEER KHAN, Chief of Khelat, concluded on the part of the British Government by MAJOR JOHN JACOB, C.B., in virtue of full powers granted by the MOST NOBLE the MARQUIS of DALHOUSIE, KT., etc., Governor-General of India, and by MEER NUSSEER KHAN, Chief of Khelat,—1854.

Whereas the course of events has made it expedient that a new agreement should be concluded between the British Government and Meer Nusseer Khan, Chief of Khelat, the following Articles have been agreed on between the said government and His Highness :—

## ARTICLE 1.

The Treaty concluded by Major Outram between the British Government and Meer Nusseer Khan, Chief of Khelat, on the 6th October 1841, is hereby annulled.

## ARTICLE 2.

There shall be perpetual friendship between the British Government and Meer Nusseer Khan, Chief of Khelat, his heirs and successors.

## ARTICLE 3.

Meer Nusseer Khan binds himself, his heirs and successors, to oppose to the utmost all the enemies of the British Government, in all cases to act in subordinate co-operation with that Government, and to enter into no negotiation with other States without its consent, the usual friendly correspondence with neighbours being continued as before.

## ARTICLE 4.

Should it be deemed necessary to station British troops in any part of the territory of Khelat, they shall occupy such positions as may be thought advisable by the British authorities.

## ARTICLE 5.

Meer Nusseer Khan binds himself, his heirs and successors, to prevent all plundering or other outrage by his subjects within or near British territory ; to protect the passage of merchants to and fro between the British dominions and Afghanistan, whether by way of Sindh or by the seaport of Soumëeaneë, or other seaports of Mekran, and to permit no exactions to be

made beyond an equitable duty to be fixed by the British Government and Meer Nusseer Khan, and the amount to be shown in the Schedule annexed to this Treaty.

ARTICLE 6.

To aid Meer Nusseer Khan, his heirs and successors, in the fulfilment of these obligations, and on condition of a faithful performance of them year by year, the British Government binds itself to pay to Meer Nusseer Khan, his heirs and successors an annual subsidy of fifty thousand (50,000) Company's Rupees.

ARTICLE 7.

If during any year the conditions above mentioned shall not be faithfully performed by the said Meer Nusseer Khan, his heirs and successors, then the annual subsidy of fifty thousand (50,000) Company's Rupees will not be paid by the British Government.

*Done at Mustoong, this fourteenth day of May one thousand eight hundred and fifty-four.*

(Sd.) JOHN JACOB, Major,

MUSTOONG.        } *Political Superintendent and Commandant*  
14th May 1854.     } *on the frontier of Upper Sindh.*

SCHEDULE showing amount of duty to be levied on merchandize passing through the dominions of the Khan of Khelat referred to in Article 5 of this Treaty.

On each camel-load, without respect to value, from the northern frontier to the sea, either to Kurrachee or other port, Company's Rupees 6.

On each camel, as above, from the northern frontier to Shikarpore, Company's Rupees 5.

The same duties to be levied on merchandize passing in the contrary direction from the sea, or from Sindh to the Khelat territory.

(Sd.) JOHN JACOB, Major,

*Political Superintendent and Commandant*  
*on the frontier of Upper Sindh.*

The foregoing Articles of Treaty having been concluded between the British Government and the Khan of Khelat, and signed and sealed by Major John Jacob, C.B., on the one part, and Meer Nusseer Khan on the other, at Mustoong on the 14th May A.D. 1854, corresponding with 16th Shaban A.H.



1270, a copy of the same will be delivered to His Highness, duly ratified by the Governor-General in Council, within two months from this date.

(Sd.) DALHOUSIE.

„ J. DORIN.

„ J. LOW.

„ J. P. GRANT.

„ B. PEACOCK.

Ratified by the Most Noble the Governor-General in Council, Fort William, this 2nd day of June 1854.

(Sd.) G. F. EDMONSTONE,

*Secretary to the Government of India.*

#### No. CIV.

TRANSLATION of an AGREEMENT made by HIS HIGHNESS the KHAN OF KHELAT, dated 24th Suffer 1279, corresponding with A.D. 21st August 1862.

I, Meer Khodadad Khan, the Khan of Khelat, do hereby voluntarily state that a Surveying Officer, on the part of the British Government, and Shahbaz Khan, Agent on the part of the Government of Beloochistan, were appointed to define the boundary between my territory and that of the British.

They thoroughly examined the boundary according to the detail of dures or pillars numbered 1 to 8 and 14 to 30: the settlement of this portion was accepted and approved by my late brother, Meer Nusseer Khan, and I also accept and approve of the same.

The following is the detail of boundaries defined subsequent to the demise of my brother between pillars Nos. 8 and 14, and approved by the Governments both of British India and of Beloochistan. This definition I also accept and approve:—

#### *Details.*

1. Koh Siah Ali.
2. Rungoo.
3. Mogro.
4. Kukro.
5. Hahoo.
6. Khubar Gulo.
7. Mungur.
8. Jehluk.

17. Guro.

9. Chung.
10. Hara.
11. Kuchruk.
12. Koh Kulan.
13. Shukloo.
14. Dang Chungo.
15. Gogird Dana.
16. Loandee.

## No. CV.

## TREATY between the BRITISH GOVERNMENT and the KHELAT STATE,—1876.

Whereas it has become expedient to renew the Treaty of 1854, between the British Government and Naseer Khan, Khan of Khelat, and to supplement the same by certain additional provisions calculated to draw closer the bonds of friendship and amity between the two Governments, the following additional Articles are herewith agreed upon between the Right Honourable Edward Robert Bulwer Lytton, Baron Lytton of Knebworth, in the County of Hertford, and a Baronet of the United Kingdom, Viceroy and Governor-General of India, and Grand Master of the Most Exalted Order of the Star of India, on behalf of the British Government on the one hand, and His Highness Meer Khodadad Khan, Khan of Khelat, on the other :—

## ARTICLE 1.

The Treaty concluded between the British Government and Meer Naseer Khan, Khan of Khelat, on the 14th of May 1854, is hereby renewed and re-affirmed.

## ARTICLE 2.

There shall be perpetual friendship between the British Government and Meer Khodadad Khan, Khan of Khelat, his heirs, and successors.

## ARTICLE 3.

Whilst on his part, Meer Khodadad Khan, Khan of Khelat, binds himself, his heirs, successors, and Sirdars to observe faithfully the provisions of Article 3 of the Treaty of 1854, the British Government on its part engages to respect the independence of Khelat, and to aid the Khan, in case of need, in the maintenance of a just authority and the protection of his territories from external attack, by such means as the British Government may at the moment deem expedient.

## ARTICLE 4.

For the further consolidation of the friendship herewith renewed and re-affirmed between the two Governments, it is agreed on the one hand that British Agents with suitable escorts shall be duly accredited by the British Government to reside permanently at the Court of the Khan and elsewhere in His Highness's dominions, and on the other hand, that a suitable representative shall be duly accredited by His Highness to the Government of India.

## ARTICLE 5.

It is hereby agreed that should any dispute, calculated to disturb the peace of the country, arise hereafter between the Khan and the Sirdars of

See also Appendices Nos. I and II.



Khelat, the British Agent at the Court of His Highness shall in the first place use his good offices with both parties to effect by friendly advice an amicable arrangement between them, failing which the Khan will, with the consent of the British Government, submit such dispute to its arbitration, and accept and faithfully execute its award.

#### ARTICLE 6.

Whereas the Khan of Khelat has expressed a desire on the part of himself and his Sirdars for the presence in his country of a detachment of British troops, the British Government, in accordance with the provisions of Article 4 of the Treaty of 1854, and in recognition of the intimate relations existing between the two countries, hereby assents to the request of His Highness, on condition that the troops shall be stationed in such positions as the British Government may deem expedient, and be withdrawn at the pleasure of that Government.

#### ARTICLE 7.

It is also agreed that such lines of telegraph or railway as may be beneficial to the interests of the two Governments shall be from time to time constructed by the British Government in the territories of the Khan, provided that the conditions of such construction be a matter of previous arrangement between that Government and the Government of His Highness.

#### ARTICLE 8.

There shall be entire freedom of trade between the State of Khelat and the territories of the British Government, subject to such conditions as the British Government may, at any time, in concert with the Khan of Khelat, deem necessary for the protection of fiscal interests.

#### ARTICLE 9.

To aid Meer Khodadad Khan, his heirs, and successors, in the efficient fulfilment of the obligations contracted by them under the Treaty of 1854, and the present supplementary engagement, the British Government hereby undertakes to pay to the said Khan, his heirs, and successors an annual sum of one lakh of rupees, so long as they shall faithfully adhere to the engagements heretofore and hereby contracted.

#### ARTICLE 10.

The British Government further undertakes to contribute Rupees twenty thousand five hundred annually towards the establishment of posts and development of traffic along the trade routes in His Highness's territories provided such money is expended by the Khan in the manner approved of by the British Government.

Executed at Jacobabad, this eighth day of December one thousand eight hundred and seventy-six Anno Domini.

(Sd.) LYTTON,

*Viceroy and Governor-General of India.*

Seal.

Seal of Khan of Kelat.

### NO. CVI.

AGREEMENT entered into by His HIGHNESS the Khan of KELAT MIR KHUDADAD KHAN on the one part and by SIR ROBERT SANDEMAN, K.C.S.I., AGENT to the GOVERNOR-GENERAL in BILUCHISTAN, on the other part, subject to the CONFIRMATION of His EXCELLENCY the VICEROY in COUNCIL executed at the DASHT PLAIN on the 8th day of June 1883.

Whereas in the year 1879 an arrangement was finally agreed to between the British Government and His Highness Mir Khudadad Khan of Kelat by which the district and Niabat of Quetta were placed under the administration of the British Government on certain conditions and for a certain period, and whereas the period fixed by the said arrangement is almost expired, and whereas it has been found by experience to be to the advantage of both Governments that the district and Niabat of Quetta should be exclusively managed by the officers of the British Government, and whereas it appears desirable to His Excellency the Viceroy and Governor-General of India and to His Highness the Khan of Kelat, that a similar arrangement should be made regarding the levy of dues and other matters connected therewith in the Bolan Pass in consideration of the losses suffered by His Highness the Khan of Kelat owing to the opening of the Hurnai route by the British Government, it is hereby declared and agreed as follows:—

1. Mir Khudadad Khan of Kelat on behalf of himself and his heirs and successors hereby makes over and entrusts the entire management of the Quetta District and Naibat absolutely and with all the rights and privileges as well as full revenue, civil and criminal jurisdiction, and all other powers of administration, to the British Government with effect from 1st April 1883 on the following conditions:—

(1) That the said District and Niabat shall be administered on behalf of the British Government by such officer or officers as the Governor-General in Council may appoint for the purpose.

(2) That in lieu of the annual surplus of revenue hitherto paid to His Highness the Khan under the arrangement of 1879 above cited, the British Government shall pay to His Highness on the 31st March in every year, beginning from the 31st March 1884, a fixed annual rent of Rupees 25,000 (twenty-five thousand) which has been settled as a fair average equivalent



of His Highness the Khan's right to the annual net surplus of the revenues of the said District and Niabat.

(3) The aforesaid sum of Rupees 25,000 (twenty-five thousand) shall be paid to His Highness without any deductions for cost of administration, so long as the said District and Niabat are administered by the British Government.

2. His Highness the Khan hereby transfers to the British Government absolutely, with effect from the 1st day of April 1883, all his rights to levy dues or tolls on the trade travelling through the Bolan to and from British India and Afghanistan, as well as to and from Kachi and Khorasan, as provided by the Treaty of 1854, or on the trade travelling to and from British India and the districts of Sibi, Quetta, and Pishin.

3. In return for the concession last mentioned the British Government agree to pay to His Highness the Khan the sum of Rupees 30,000 (thirty thousand) per annum free of all deductions, in two half yearly instalments, on the 1st October and 1st April of each year beginning from the 1st October 1883. In addition the Viceroy and Governor-General agrees to pay to the Sarawan and Kurd Sirdars a fixed sum yearly for certain service in the Pass representing their shares respectively of the transit and escort fees.

4. In order to facilitate the arrangements of the British Government for the collection of tolls on its own behalf in the Bolan Pass, His Highness the Khan hereby cedes to the British Government full civil and criminal jurisdiction and all other powers of administration within the limits of the said pass and within the land purchased by the British Government at Rindali for a railway station and other buildings.

*Seal of Mir Khudadad Khan.*



(Sd.) R. G. SANDEMAN,  
*Agent, Governor-General, Baluchistan, Quetta Residency,*  
8th June 1883.

*Khan of Kelat.*

*Seal of the Viceroy and Governor-General of India.*



RIPON,  
*Viceroy and Governor-General of India.*

This agreement was ratified by His Excellency the Viceroy and Governor-General of India at Simla on Wednesday, this 12th day of September 1883.

(Sd.) C. GRANT,  
*Secretary to the Government of India,*  
*Foreign Department.*

## No. CVII.

TRANSLATION of a SANAD dated 7th Rajab (16th June 1880) granted by HIS HIGHNESS MIR KHODADAD KHAN, KHAN of KELAT, to the BRITISH GOVERNMENT.

I, Mir Khodadad Khan, G.C.S.I., Khan of Kelat, do hereby make over in perpetuity to the British Government in gift the lands within my dominions on which the Kandahar State Railway has been constructed, together with the lands on either side of the line of railway for a distance of 200 yards, as well as those lands on which all railway stations and buildings have been erected. The object of my making this gift to the British Government is to show the friendship with which I regard the alliance existing between the British Government and the Kelat State,\* and to enable the British Government to make their own arrangement for the protection of life and property within the limits of the railway without reference to the laws of the Kelat State.† But I beg that this may not affect my right to realise the usual transit dues (sung) on merchandise.

\* This should run—  
"The British Government is at liberty to make its own arrangement," etc.

(Sd.) F. H.

† Should be—  
"Without prohibiting the realisation of the usual transit dues (sung) which I receive."

(Sd.) F. H.



Seal of MIR KHODADAD KHAN,  
*Khan of Kelat.*

## No. CVIII.

AGREEMENT relating to the demarcation of the boundary between PERSIAN BALUCHISTAN and KALAT,—1896.

In accordance with the agreement for the delimitation of the Perso-Kalat frontier from Kohak to Koh-i-Malik Siah, drawn up between Her Britannic Majesty's Minister at Tehran and His Highness the Sadar-i-Azam of Persia, dated the 27th December 1895, this frontier has been demarcated as follows :—

Commencing from the Mashkel river it is defined by the bed of that river from pillar 1 to pillar 2. Pillar 1 is placed on a conspicuous hill on the left or north bank of the river, about a mile and a half below the junction of the Gazbastan stream with the Mashkel, and almost immediately south of Kohak Fort.

Pillar 2 is built on a well marked hill on the right or south bank of the Mashkel river about 6 miles above the junction of the Mashkel and Rakshan rivers. From pillar 2 the boundary runs in a north-westerly direction to a conspicuous peak on the subsidiary range which runs from the Tank-i-Grawag to the Siah. The peak is marked by pillar 3. From pillar 3 it follows the watershed of this subsidiary range to its junction with that of the



Siahan Koh and thence it is defined westward by the main watershed of the Siahan range to a point about 4 miles east of the pass called Bonsar or Sharindor, on the main road connecting Isfandak with Jalk. At this point, which is marked by pillar 4, a subsidiary watershed or spur runs northward, along which the boundary extends, leaving all drainage into the cultivated tracts of Kalagam on the Persian side. The boundary is here marked by a conspicuous peak, distinguished by a natural bluff resembling a tower on its summit. From this peak 5, it is carried to pillar 6, which is placed on the main road leading a little south of east from the village of Kaladen towards the Mashkel river. Pillar 6 is 4 miles from the village of Kaladen. From pillar 6 the boundary runs direct to pillar 7 on the main road connecting Jalk with Ladgasht and Mashkel at 12 miles from Zirat-i-Pir-Omar at Jalk.

From pillar 7 the boundary is carried in a northerly direction by a straight line to pillar 8.

Pillar 8 is placed on the road connecting the date groves of Ladgasht with those of Muksokhta or Muksotag, and it is erected at a distance of 3 miles from the southern edge of the Muksotag grove, so as to divide the southern group of date groves, including Ladgasht and Kalag, from the northern group, which includes Muksotag, Gorani and others.

Ladgasht, with its date groves, becomes the property of Kalat, and Gorani with its date groves, has been allotted to Persia, on the understanding that the frontier Governors of the Persian Government in future become responsible for the conduct of the Damani cultivators of these groves.

From pillar 8 the boundary runs 14 miles nearly north to pillar 9 at the south-eastern edge of the Kindi date grove, and thence in the same direction for  $3\frac{1}{2}$  miles to the north-eastern edge of the same grove of Kindi, where pillar 10 is erected.

From pillar 10 the boundary runs 11 miles a little south of west so as to clear the northern edge of the Kindi date grove, to pillar 11.

Pillar 11 is on the edge of the right bank of the Talab watercourse, and about 1 mile east of the northern end of the Gorani date groves.

From pillar 11 northwards the Talab river becomes the boundary to its junction with the Mirjawa river. From the point of junction it is carried by a straight line to the nearest point on the watershed of the Mirjawa range, which limits the drainage into the Mirjawa river on the north.

Thence it follows the main watershed northward to the highest point of the Kacha Koh.

From the highest point of the Kacha Koh the line is carried straight to the highest point of the Malic Siah Koh.

T. H. HOLDICH, Colonel, R.E.,  
H. M.'s Commissioner, Perso-Kalat Boundary.

CAMP JALK;  
24th March 1896.

## PERSO-KALAT BOUNDARY.

*Description of pillars, etc.*

No.	Latitude,	Longitude,	General description.
1	27 5 30	63 17 25	<p>A conical pile of stones, about 12 feet high, built on the summit of a hill overlooking the Mashkel river on its northern bank, about a mile and a half below the junction of the Garbastan stream with the Mashkel.</p> <p>Azimuth of pillar 2—75°.</p> <p>Distance—5½ miles.</p>
2	27 6 50	63 22 30	<p>A conical pile of stones about 6 feet high, built on a hill overlooking the Mashkel river on its southern bank, about six miles above the junction of the Rakhshan river with the Mashkel.</p> <p>Azimuth of pillar 3—335°.</p> <p>Distance—7½ miles.</p>
3	27 12 30	63 19 30	<p>A conical pile of stones, about 5 or 6 feet high, built on a conspicuous peak of low range connecting the Tank-i-Grawag (where the Mashkel river passes between the Siahan and Koh-i-Sabz ranges) with the Siahan. This low range is locally known as the Grawag. From pillar 3. to 4 the line follows first the watershed of this subsidiary Grawag range to its junction with that of the Siahan, and the Siahan watershed to pillar 4.</p> <p>Azimuth of pillar 4—273°.</p> <p>Distance—3½ miles.</p>
4	27 14 40	62 49 50	<p>A pile of stones erected on a flat-topped peak of the Siahan watershed, about 4 miles east of the Bonsar or Sharindor Kotal or pass. From this point the boundary diverges northward along the eastern watershed of the Kallagan river to peak 5.</p> <p>Azimuth of peak 5—6°.</p> <p>Distance—8½ miles.</p>
5	27 21 30	62 50 30	<p>A conspicuous peak on the watershed or spur which trends northward from pillar 4. It is marked by a natural bluff resembling a tower on its summit.</p> <p>Azimuth of pillar 6—21°.</p> <p>Distance—7½ miles.</p>



PERSO-KALAT BOUNDARY—*concl'd.*

No.	Latitude.	Longitude.	General description.
6	27 27 40	62 53 20	A pile of mixed earth and stones set up on the main road which runs eastward from the Kalladin village about 4 miles from the village.  Azimuth of pillar 7—356°.  Distance—21 miles.
7	27 46 0	62 51 54	A pile of mixed earth and stones erected on the main road, connecting Jalk with Ladgasht: about 12 miles from Jalk.  Azimuth of pillar 8—349°.  Distance—18 miles.
8	28 1 40	62 48 30	Pillar 8 is a small mound constructed of sand and bushes on rising ground about 3 miles south-east of the southern edge of the Muksotag grove, on the road between Muksotag and Ladgasht.  Azimuth of pillar 9—7°.  Distance—13½ miles.
9	28 13 40	62 50 20	Pillar 9 is a small mound of mixed sand and bushes at the south-eastern end of Kindi date grove.  Azimuth of pillar 10—359°.  Distance—3½ miles.
10	28 16 35	62 51 10	Pillar 10 is a small mound of mixed sand and bushes on the north-eastern edge of the Kindi date grove.  Azimuth of pillar 11—265°.  Distance—11½ miles.
11	28 14 20	62 39 20	Pillar 11 is a small mound of mixed sand and bushes on a low range of sandhills, on the right bank of the Talab watercourse, and one mile east of the northern end of the Goorani date grove.  Approximate azimuth along Talab river—310°.

T. H. HOLDICH, *Colonel, R.E.,*  
*H. M.'s Commissioner, Perso-Kalat Boundary.*

CAMP JALK;  
 4th March 1896.

## No. CIX.

AGREEMENT between the Government of His Majesty the King of Great Britain and Ireland and of the British Dominions beyond the Seas, Defender of the Faith, Emperor of India; and HIS IMPERIAL MAJESTY the SHAHINSHAH of Persia, for the settlement of certain outstanding questions on the frontier of Persia and India.

His Excellency the Mushir-ed-Dowleh, Minister for Foreign Affairs of His Majesty the Shah of Persia, and Sir A. Hardinge, K.C.B., His Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary at Tehran, duly authorised thereto by their respective Governments have concluded the following agreement.

1. His Britannic Majesty's Government withdraw the claim to the ownership of Mirjawa put forward on its behalf in the year 1902, when a Persian Custom House was first established at that place. The Persian Government, on its side, undertakes to permit the British outpost at Padaha to procure (using buckets or waterskins for the purpose) the supply of water which may be necessary for it from the wells or tank situated at or near Mirjawa.

2. The two Governments agree by common consent to abandon the further examination by a special commission of their frontier line in this region which was proposed on behalf of His Britannic Majesty's Government in Sir A. Hardinge's note to the Mushir-ed-Dowleh, dated the 6th April 1902, and accepted by His Excellency in his note to Sir A. Hardinge of May 14th, 1902. This frontier shall be regarded as definitely settled in accordance with the agreement of 1896, and no further claim shall be made in respect of it.

3. With a view to the increase of friendly relations, the Persian Government will permit the inhabitants of the frontier villages of Mirjawa, Ladis, and Duzdab to sell supplies, should they be willing to do so (to the annual amount of seven hundred Tabriz kharwars of grain) to the neighbouring British outposts on the Indian side of the frontier, and will also allow the unrestricted export of fifteen hundred Tabriz kharwars of grain and fifty Tabriz kharwars of ghee annually from Seistan for the use of the British frontier station of Robat Killa and other stations along the Nushki route. All the exports of grain and ghee will be liable to the payment of the customs duty levied on those of the most-favoured nation. It is understood that this provision applies to normal years and that the British Government will not demand the specified export of grain from one of the localities mentioned when such locality can be clearly shown to be suffering from actual famine owing to destruction of its crops by locusts, blight, or other exceptional visitation.

Done at Tehran on the 13th day of May in the year 1905.

Seal (Sd.) ARTHUR HARDINGE.

Seal. Signature of the Mushir-ed-Dowleh.



The undersigned, His Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary, hereby declares that in signing the Mirjawa Agreement of the 13th May without reference to His Majesty's Government of the alterations in the original text introduced in compliance with the telegram from His Majesty the Shah of the 12th May in order not to cause further delay in the withdrawal of the Boundary Commission from Persian territory he reserves the right of His Majesty's Government, should it not accept the amendments in question, to withhold its assent to the agreement.

(Sd.) ARTHUR HARDINGE.

### No. CX.

AGREEMENT entered into by HIS HIGHNESS the KHAN of Kalat, MIR MAHMUD KHAN, G.C.I.E., on the one part, and by COLONEL HENRY WYLIE, C.S.I., G.L.I., Officiating Agent to the Governor-General in Baluchistan, on the other part, subject to the confirmation of His Excellency the Viceroy in Council.

*Executed at Kalat on the first day of July 1899.*

Whereas it has been found by experience to be to the advantage of both the British Government and His Highness Mir Mahmud Khan, Khan of Kalat, that the District and *Niabat* of Nushki should be exclusively managed by the officers of the British Government, it is hereby declared and agreed as follows.

Mir Mahmud, Khan of Kalat, on behalf of himself and his heirs and successors, hereby makes over and entrusts, in perpetuity, the entire management of the Nushki District and *Niabat* absolutely and with all the rights and privileges, state or personal, as well as full and exclusive revenue, civil and criminal jurisdiction, and all other powers of administration, including all rights to levy dues and tolls, to the British Government with effect from the 1st July 1899 on the following conditions:—

- (1) that the said District and *Niabat* shall be administered on behalf of the British Government by or through such officer or officers as the Governor-General in Council may appoint for the purpose;
- (2) that the British Government shall pay to His Highness, on the 1st September 1899, and thereafter annually on the 1st September, a fixed annual rent of Rs. 9,000, nine thousand only, which has been settled as a fair average equivalent of His Highness the Khan's right to the annual revenues of the said District and *Niabat*; and

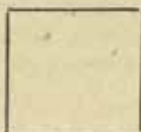
- (3) that the aforesaid sum of Rs. 9,000, nine thousand only, shall be paid to His Highness without any deduction for cost of administration.

H. WYLIE, *Colonel,*  
*Officiating Agent to the*  
*Governor-General in Baluchistan.*



SEAL OF MIR MAHMUD,  
*Khan of Kalat.*

Seal of the Viceroy and  
Governor-General of India.



CURZON of KEDLESTON,  
*Viceroy and Governor-General*  
*of India.*

This agreement was ratified by His Excellency the Viceroy and Governor-General of India at Simla on Tuesday, this 18th day of July 1899.

H. S. BARNES,  
*Offg. Secy. to the Govt. of India,*  
*Foreign Department.*

NO. CXI.

AGREEMENT entered into by His Highness the Khan of Kalat, MIR MAHMUD KHAN, G.C.I.E., on the one part, and by the HON'BLE COLONEL C. E. YATE, C.S.I., C.M.G., Agent to the Governor-General in Baluchistan, on the other part, subject to the confirmation of His Excellency the Viceroy and Governor-General in Council.

*Executed at Sibi, on the seventeenth day of February one thousand nine hundred and three.*

I. Whereas it has been found by experience to be to the advantage of both the British Government and His Highness Beglar Begi Mir Mahmud Khan, G.C.I.E., Khan of Kalat, that the Niabat of Nasirabad should be exclusively managed by the officers of the British Government, it is hereby declared and agreed as follows :—

His Highness Mir Mahmud Khan, Khan of Kalat, on behalf of himself and his heirs and successors, hereby makes over and cedes in perpetuity to the British Government the entire management of the Nasirabad Niabat



absolutely and with all the rights and privileges, state or personal, as well as full and exclusive, revenue, civil, and criminal jurisdiction and all other powers of administration, including all rights to levy dues and tolls on the following conditions :—

- (1) That the said Niabat shall be administered on behalf of the British Government by or through such officer or officers as the Governor-General in Council may appoint for the purpose, with effect from the first day of April one thousand nine hundred and three, or such subsequent date as the Government of India may take it over.
- (2) That the British Government shall pay to His Highness on the first day of April one thousand nine hundred and four and thereafter annually on the first day of April, each year, a fixed annual rent of Rs. 1,15,000 (one hundred and fifteen thousand).
- (3) That the aforesaid sum of Rs. 1,15,000 (one hundred and fifteen thousand) shall be paid to His Highness without any deduction for cost of administration.

II. The boundary of the Nasirabad Niabat as described by His Highness the Khan of Kalat's Naib, Ghaus Bakhsh, in July 1902 is as follows :—

On the south the Sind border, on the north commencing eastwards at the Leni Burj it runs north-eastwards along the Mazari border to the Bugti hills. It follows the foot of these hills running in a westerly direction to their nearest point to the Shahpur road near the Manak Garhi Nullah. It there follows this nullah as far as the Shahpur road, then follows the Shahpur road south as far as the Deh Chattan lands (generally known as Dodaika) and then turns west following the boundary of Dodaika to the Nurwah channel above the point to where the water reaches. It then follows the Nurwah as far as the junction of the latter with the Dur Muhammad Wah, which is shown on most maps as the Shahiwah, a continuation of the main desert canal. From this point it follows the Dur Muhammad Wah right along its course to the west and south-west, crossing the railway at mile 368, five miles north of Jhatpat station, until it meets the line of pillars erected about four years ago by the Magassis and Jamalis as their mutual boundary. It then follows this line of pillars southwards to the Sind border passing about 500 yards to the west of the point where the Sonwah has been closed.

III. Whereas it is possible that the lower portion of the Manjuti lands enclosed by a straight line drawn from the place where the Dur Muhammad Wah crosses the railway near mile 368, to a point on the Jacobabad Shahpur road, 8 miles to the north of where the Dur Muhammad Wah crossed that road, may hereafter be brought under irrigation, His Highness the Khan of Kalat hereby agrees on behalf of himself, his heirs, and successors to make over and cede to the British Government in perpetuity that portion of the Manjuti land in the same manner as the Nasirabad Niabat above referred to,

and it is hereby agreed that the British Government shall pay to His Highness annually an additional rent of Rupees two thousand five hundred making a total quit-rent of Rs. 1,17,500 to be paid on the first day of April one thousand nine hundred and four and subsequent years.

IV. And whereas it is advisable that any further Kalat State lands outside the present boundary of the Nasirabad Niabat which may hereafter possibly be brought under irrigation by branches and extensions from existing British canals should also come under British administration in the same manner as the Nasirabad Niabat above referred to, His Highness the Khan agrees to make over on lease in perpetuity any lands in the Lehri Bhag and Gandawa Niabats that may hereafter be found to be irrigable from existing British canals at a fair quit-rent which can be determined when the surveys have been completed.

MIR MAHMUD KHAN.

CHAS. E. YATE, *Colonel,*

*Agent to the Governor-General in Baluchistan.*

CURZON,

*Viceroy and Governor-General of India.*

This Agreement was ratified by His Excellency the Viceroy and Governor-General of India at Simla on Thursday, this 14th day of May 1903.

LOUIS W. DANE,

*Secretary to the Government of India, Foreign Department.*

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No. CXII.

AGREEMENT entered into by the KHAN of KALAT regarding the cession of land, together with jurisdiction thereon, required for the Mushkaf-Bolan Railway,—1894.

In order to meet the wishes of Government I hereby grant, on behalf of myself and my successors, to the British Government the right to occupy and administer and to exercise full civil and criminal jurisdiction over the lands of my (Kalat) State occupied and traversed or hereafter to be occupied or traversed by the Mushkaf-Bolan Railway to the extent of 100 feet on each side, and lands required for railway stations and other buildings to the extent of a quarter of a mile on each side, for so long as the said lands and premises shall be required for railway purposes.



## No. CXIII.

AGREEMENT entered into by the KHAN of KALAT regarding the cession of jurisdiction over that portion of the Nushki Railway which lies within the Kalat State,—1903.

I, Beglar Begi, Mir Mahmud Khan, G.C.I.E., Khan of Kalat, hereby cede to the British Government full and exclusive power and jurisdiction of every kind over the lands in the said State which are, or may hereafter be, occupied by the Nushki Railway (including all lands occupied for stations, for out-buildings, and for other railway purposes), and over all persons and things whatsoever within the said lands.

MIR MAHMUD KHAN.

KALAT,  
The 12th May 1903. }

## No. CXIV.

AGREEMENT entered into between Sir R. G. SANDEMAN, K.C.S.I., Agent to the Governor-General in Baluchistan, on behalf of the British Government, on the one part, and SIRDAR AZAD KHAN of KHARAN on the other part, dated Quetta, 5th June 1885.

Whereas the British Government has been pleased to grant me an allowance of Rs. 6,000 (six thousand only) per annum, I am very grateful for this allowance, and do hereby agree to employ it in the following manner:—I shall appoint one of my sons as a Ressaldar on Rs. 100 (one hundred only) per mensem and 20 sowars of my tribe on Rs. 20 (twenty only) per mensem each. They will protect the trade routes passing through Kharan, and maintain peace to the best of their power on the frontier. Should traders or British employes travel by any of the routes situated in my district, I shall be responsible for their safety. Should the British Government open a district road from Nushki to the Helmand, I shall be responsible that no injury shall happen to any traveller along that part of the route which lies in the Kharan territory. Should British officers require the services of the Ressaldar and sowars mentioned in this agreement when visiting my district, or in proceeding to the frontier, the sowars and Ressaldar will accompany them without excuse; and if the British Government should station them along the route from Nushki to the Helmand, on the road to Chageh, or at any place on the Kharan frontier, they will remain at such place. Should British officers proceed on duty to Kharan district, there will be no objection made to their doing so; on the contrary, every precaution will be taken to look after their safety and to help them in every way.

I write these lines as an agreement.

*P.S.*—The allowance mentioned above has been granted to me by the British Government for the protection of traffic and management of the frontier. But should the Government at any time hereafter ask me to furnish them with a large tribal force, the said Government will have to make extra provision for the pay and expenses of such force.

### No. CXV.

#### TRANSLATION of a Telegraph AGREEMENT with the JAM of BEYLA, dated the 21st December 1861.

Whereas it is in contemplation to carry on, as far as India, the communication now opened between Great Britain and other high States of Europe and Asia by continuing the line of Electric Telegraph from Constantinople and Bagdad, through Persia and Beloochistan, to Kurrachee, and whereas in the prosecution of this scheme of universal benefit, it has become necessary to take measures for the security and protection of the said contemplated line, the high government of Bombay have deputed Major F. J. Goldsmid for the special purpose of entering into such negotiations with the several Chiefs holding territory between Kurrachee and Gwadur as may be deemed necessary for the due furtherance of the aforesaid undertaking.

Now the line of coast from the Hubb river to Khos Kulmut or its vicinity, a distance of 240 measured miles, being within the territory of Jam Meer Khan, Chief of Lus Beyla, the undersigned, Major F. J. Goldsmid, on the part of the British Government, and with the knowledge and consent of its firm ally Khodadad Khan, ruler of the sovereign State of Khelat, hereby makes agreement with Jam Meer Khan aforesaid for the construction, maintenance, and protection of the line of Telegraph between the above-mentioned places.

The detailed agreement is as follows:—

#### ARTICLE 1.

The materials for the line may be landed on any part of the coast between the Hubb river and Khos Kulmut, and all reasonable assistance will be rendered by the local authorities in insuring its security and facilitating its construction, due payment being made for labour or articles supplied.

#### ARTICLE 2.

There will be two Telegraph stations erected for the residence and office of signallers, one at Soumeeanee and one at Ormara.

#### ARTICLE 3.

All individuals authoritatively employed in the construction, maintenance or use of the line aforesaid, shall receive such protection and assistance from



the local authorities as will enable them to prosecute their work without let or hindrance, due payment to be made for labour or articles supplied.

#### ARTICLE 4.

A sum of Rupees 10,000\* yearly shall be paid by the Political Agent at Khelat to the Jam of Beyla, on the understanding that he keeps up an establishment of not less than        men, on salaries of Rupees        per mensem in the aggregate, for the due protection of the line, and rendering such assistance as from time to time may be required by the Telegraph employés stationed on the coast.

#### ARTICLE 5.

Should it be authoritatively reported at any time that the said establishment is insufficient, and such injury be done to the line as would lead to the belief that due care was not exercised in its protection, the Political Agent, Khelat, will be empowered to call upon the Jam of Beyla to make such additional payment as will not exceed in the whole the amount of full yearly subsidy.

#### ARTICLE 6.

The annual payment to the Jam will commence from the date that five miles of Telegraph wire may be reported set up, all intermediate payment being made according to labour or articles supplied as previously provided.

#### ARTICLE 7.

Complaints against individuals in the employ of the Telegraph Department not capable of satisfactory adjustment will be referred to the Political Agent at Khelat. Any cases of urgency, whether in the nature of a complaint or otherwise affecting such persons, may be referred to the Magistrate or Commandant of Police at Kurrachee as exceptional, should occasion require.

#### ARTICLE 8.

Continued obstruction or injury to the line may cause revocation of this agreement on the part of Government at any time.

The agreement made between the parties hereto as above defined is to be considered dependent for completion and effect upon the approval of the Bombay Government.

\* The amount of yearly payment must depend on further reference as to the actual work required. But the undersigned is of opinion that the full sum may be double that fixed for the pay of a watching establishment here entered. For instance, supposing such establishment to be Rupees 330 per mensem, the yearly amount would be Rupees 3,960 of which the double would be Rupees 7,920. This would be estimated in round numbers at Rupees 8,000.

Approved by the Governor-General of India in Council on 19th August 1862.

No. CXVI.

ABSTRACT TRANSLATION of an AGREEMENT passed, under date the 24th January 1862, by FAQUEER MAHOMED BEZUNJO, Naib of Kedje, to MAJOR F. J. GOLDSMID, Assistant Commissioner in Sind, on behalf of the British Government.

Under instructions from His Highness the Khan of Khelat, Faqueer Mahomed Bezunjo has presented himself before Major F. J. Goldsmid, Assistant Commissioner in Sind, and learnt all the arrangements contemplated for the establishment of the proposed line of Telegraph. He states in the presence of that officer and Rais Rahmutoollah Khan, Agent of His Highness, that if the British Government intend to set the Electric Telegraph on the Mekran coast, he will use his best endeavours to protect and maintain it from Kulmut-bunder to Gwadar-bunder, and will provide the men required for that purpose. For this service he shall receive through the Political Agent, Khelat, and with the consent of the Khan, the sum assigned and deemed proper by the British Government. He will also lend assistance to the due establishment of the Electric Telegraph by protecting the materials and stores in such manner that there shall be no obstruction to the work. It is understood that all articles supplied to the persons connected with the Telegraph shall be duly paid for by the receivers.

Provided always that his responsibility in the above matter depends on his holding the office of Naib of Kedje.

Signed in the presence of Major F. J. Goldsmid, Assistant Commissioner in Sind, and in the presence of Rais Rahmutoollah, Agent of His Highness the Khan, under date the 24th January 1862.

Note written before FAQUEER MAHOMED of Kedje, and signed by RAIS RAHMUTOOLLAH KHAN on the 1st February 1862.

The word "Gwadar-bunder" shall be understood to comprise all lands within the recognized boundary of Gwadar.

Approved by the Governor-General of India in Council on 19th August 1862.



## No. CXVII.

CONVENTION between the BRITISH GOVERNMENT and HIS HIGHNESS KHODADAD KHAN, KHAN of KHELAT and BELOOCHISTAN, for the extension of the Electric Telegraph through such portions of the dominions of His Highness in Mekran as lie between the western boundary of the province under the feudatory rule of the Jam of Beyla and the eastern boundary of the territory of Gwadur,—1863.

## ARTICLE 1.

That His Highness the Khan of Khelat shall afford protection to the line of telegraph and to the persons employed in its construction and maintenance through the tract of the country lying between the western boundary of the province under the rule of the Jam of Beyla and the eastern boundary of the Gwadur territory.

## ARTICLE 2.

That the British Government shall be at liberty to erect stations in such parts of the said country as they may deem most convenient for telegraph purposes.

## ARTICLE 3.

That the material of the telegraph may be landed, free of duty, wherever the British Government may think most convenient on His Highness's coast.

## ARTICLE 4.

That the cost of material, labour, landing charges, housing, provisions, etc., shall be borne by the British Government, who will also make any arrangements they may consider most convenient regarding their own supplies, labour, etc., His Highness the Khan undertaking that no impediment shall be thrown in their way, but that, on the contrary, every protection and assistance shall be afforded on his part.

## ARTICLE 5.

That for the protection of the line and those employed upon it, the British Government will agree to pay the annual sum of Rupees five thousand (5,000), and His Highness the Khan of Khelat is not to be called upon to go to any further expense than the above sum.

## ARTICLE 6.

That His Highness the Khan shall give notice through the Political Agent to the British Government of the proportions of the sum above mentioned which he may wish to be paid to the various Chiefs to whom he will entrust the conservation of the line, it being understood that the whole sum paid by the British Government for that purpose will be expended amongst

the Chiefs and people through whose country the line passes. On receipt of His Highness's wishes in this respect, the sums will be paid to the named parties through the Political Agent or other officer appointed by the British Government.

## ARTICLE 7.

That annual payment will commence from the date that the telegraph officers may report that 50 miles of the line have been erected, and that its conservation is complete for that distance.

## ARTICLE 8.

That any disagreement between the Telegraph officials and the subjects of His Highness the Khan of Khelat shall be referred to the Political Agent at Khelat if it cannot be satisfactorily settled on the spot by the telegraph officers in communication with the Agent of His Highness.

## ARTICLE 9.

Continued obstruction or injury to the line may cause revocation of this agreement at any time on the part of the British Government.

CAMP KUSHMORE ; The 20th Feb. 1863. }	(Sd.) M. GREEN, Major, Actg. Political Agent to the Court of His Highness the Khan of Khelat.
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ADDITIONAL CLAUSE (10) of a CONVENTION with HIS HIGHNESS the KHAN of KHELAT, for the passage of the Electric Telegraph through his Mekran territory.

## ARTICLE 10.

That His Highness the Khan of Khelat, with the view of accelerating the erection of the Electric Telegraph, agrees that the English Government may subsidize and make their own arrangements with the tribes (his subjects) in Mekran.

It being understood that the above shall not include any cession of Khelat territory without his (the Khan's) consent, and that, should offices or buildings be erected, their sites shall always be considered as belonging to the Khelat Government.

On the part of the British Government.

JACOBABAD, UPPER SIND ; The 23rd March 1863. }	(Sd.) M. GREEN, Major, Actg. Political Agent at Khelat.
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Seal.

(Sd.) KHODADAD KHAN,  
Ruler of Khelat.



## No. CXVIII.

TRANSLATION of a Telegraph AGREEMENT entered into by the  
NAIB of KEDJ,—1869.

In continuation of, and in the terms of, the Agreement concluded in the year 1862 with the consent of the Khan of Beloochistan, Sirdar Meer Fuqueer Mahomed, Naib of Kedj, now undertakes to guarantee the protection of the Telegraph line from the Gwadur to the Baho boundary, and also gives a similar assurance on the part of Meer Bhayan, Gitchki. The British Government to pay the said Sirdar the sum of Rupees 1,500 annually, the Sirdar to place at the disposal of the Telegraph Superintendent two line-riders on Rupees 20 monthly each, to be stationed between Gwadur and Baho. The pay of these guards to be deducted from the said sum of Rupees 1,500 and paid to the men through the Telegraph Superintendent. This agreement to have effect from 1st January 1869.

The above memorandum was written on 11th February 1869, sealed by  
Fuqueer Mahomed.

Original sealed before me by Mulla Dora.

## No. CXIX.

LITERAL TRANSLATION OF A DEED PASSED BY HIS HIGH-  
NESS THE KHAN OF KHELAT, RECEIVED WITH LETTER  
NO. 1213, DATED 29TH AUGUST 1870, FROM THE POLI-  
TICAL SUPERINTENDENT, UPPER SIND FRONTIER.

At the present time, I, Khan Sahib Meer Khoodadad Khan, Ruler of Khelat, conform to this subject.

That I became acquainted with the purport of letter No. 4718, dated 4th August 1870, from Colonel Sir William Merewether, Commissioner, Sind. In reference to this, I do agree and accept that from the sum of Rupees 15,000, which is paid me by the British Government on account of the Electric Telegraph, District of Lus Beyla, I will disburse the sum of Rupees 666-8 to Meer Khan Jamote during his lifetime, and for the salaries of supervisors of the Telegraph line, Rupees 50 for two Jemadars, and Rupees 500 for 25 mounted men, at the rate of Rupees 20 each per mensem. The aforesaid expenditure I agree to, the balance of the Electric Telegraph money which the British Government deemed reasonable will be sent to me. For this reason, I have given this written agreement, admitting the above expenditure, dated this 24th day of Jamadi-ool-Awul 1287.

## No. CXX.

TRANSLATION of a Telegraph AGREEMENT, dated the 13TH JUNE 1899 executed by MIR MAHMUD, son of MIR BEHRAM KALMATI of PASNI.

At first, my brother Mir Saka was responsible for the protection of the telegraph line situated within the limits of Pasni. Now Mir Saka, my brother has died and in his place, I, Mir Mahmud, son of Mir Behram, resident of Pasni, being responsible for the protection of the Government Telegraph line in the Pasni boundary, promise that I will abide by the conditions made with the Government by my brother or father for the protection of the telegraph line and will execute them without fail. I therefore request that I may also be given the same pay that was given to my brother or father for the protection of the line. I promise that I will be responsible if any damage occurs to the line in the Pasni boundary.

Therefore I write this ikrarnama that it may serve as a sanad.

(Sealed)	MIR MAHMUD.
(Witnessed by) Seal of	MULLA KHUDADAD.
" " "	MULLA MUHAMMAD.
" " "	MIR YALI.
" " "	MIR ABDUL KARIM.

## No. CXXI.

TRANSLATION of an AGREEMENT made with the CHIEFS of BAHO and DUSTYAREE for the protection of the Telegraph Line,—1869.

In consideration of the annual sum of Rupees 2,000 in equal shares of Rupees 1,000 each guaranteed to be made over to us by Colonel Goldsmid, Chief Director of the Telegraphs between India and the Telegraphs of other Governments, we Deen Mahomed and Mahomed Ali, being the Chiefs of Baho Dustyaree, pledge ourselves to afford all security and protection in our power to the line of Telegraph about to be constructed by the British Government from the boundary of the Kedj territory up to Charbar.

We also agree to assist in every way the officers and employés of the said Telegraph, and to place at the disposal of the Telegraph officers, whenever required, at least four sowars at Rupees 20 each per month payable by the said officers.

This agreement to come into immediate effect, payment of subsidy being made half-yearly by Captain Ross or other British officers stationed at Gwadur, the first instalment being calculated from 1st January 1869.



Failure to fulfil the conditions here specified will cancel all claim to the subsidy.

Sealed by the above-named Meer Deen Mahomed and Meer Mahomed Ali in the presence of Colonel Goldsmid and Captain Ross, whose signatures are affixed in token of their engagements herein.

### No. CXXII.

#### TRANSLATION of an AGREEMENT made with SHAH NUSRUT, Representative of the CHIEF of GAIH, for the protection of the Telegraph Line,—1869.

In consideration of the annual sum of Rupees 3,000 guaranteed to be made over to Shah Nusrut, on behalf of the widow of the late Mir Abdullah Khan, of Gaih, by Colonel Goldsmid, C.B., Director-in-Chief, Indo-European Telegraph, the aforesaid Shah Nusrut, on his own part and as representative of the Chiefdom of Gaih, pledges himself to afford security and protection to the line of Telegraph about to be constructed from Charbar to Sadeich.

He further agrees in every way to assist the officers and employes of the said Telegraph in the work of construction and maintenance, on the understanding that they shall obtain, from the Chief of Gaih, as many mounted men as may be requisite, to be paid by the Telegraph officers at the rate of Rupees 20 per mensem for each man.

Payment of the said subsidy shall be made half-yearly by Captain Ross or other British officer stationed at Gwadur; the first instalment to be calculated from 1st January 1869.

Should the aforesaid Shah Nusrut, on the part of the Chief of Gaih, fail to fulfil the above specified conditions, he shall forfeit all claim to the said subsidy, and this agreement shall be cancelled.

Sealed by Shah Nusrut and Nowraz Khan in presence of Colonel Goldsmid and Captain Ross, whose signatures are affixed in token of their engagement herein at Charbar, this fifth day of March 1869.

Seal of  
Nowraz Khan.

Seal of  
Nowraz Khan.

(Sd.) F. J. GOLDSMID,  
*Lieutenant-Colonel.*

„ E. C. ROSS,  
*Captain.*

## No. CXXIII.

MEMORANDUM of conditions subscribed to by JAM ALI KHAN on his succession to the Chiefship of Las Bela,—1889.

Whereas His Excellency the Viceroy and Governor-General has been pleased to sanction my succession to the Chiefship of the Las Bela State, I, the undersigned, Sardar Haji Jam Ali Khan, hereby accept the following conditions which have been explained to me personally by Sir Robert Sandeman, Agent to the Governor-General in Baluchistan.

*First.*—I will always conduct the administration of the Las Bela State in accordance with the advice of the Agent to the Governor-General.

*Secondly.*—I will employ a Wazir approved by the Agent to the Governor-General.

*Thirdly.*—For a term of five years I will make no important change in the customs of the country or in the system of administration now established without the concurrence of the Agent to the Governor-General. I will particularly avoid imposing fresh burdens of taxation, and resuming muafi grants. Further, before causing sentences of death to be executed, I will obtain the sanction of the Agent to the Governor-General.

*Fourthly.*—I hereby grant a free pardon to all who have been hostile to me in the past. I will not revenge myself upon them, nor harass them, in any way.

*Fifthly.*—I will make such allowances from the revenues of the Las Bela State as the Agent to the Governor-General may now, and in future from time to time, recommend for the widow, sons and family of my late father. I will similarly make suitable provision for Akhundzada Muhammad Nur, Wakil Walidad Khan, Sardar Sahib Khan Chutta, and other servants of the Las Bela State, in accordance with the recommendations of the Agent to the Governor-General.

## No. CXXIV.

CONDITIONS AGREED to by MIR KAMAL KHAN on his succession to the Chiefship of LAS BELA in 1896.

Whereas His Excellency the Viceroy and Governor-General of India has been pleased to sanction my succession to the Chiefship of the Las Beyla State, I, the undersigned, Sirdar Mir Kamal Khan hereby accept the following conditions which have been explained to me personally by Major-General Sir James Browne, K.C.S.I., C.B., R.E., Agent to the Governor-General in Baluchistan :—

(1) I pledge myself to fulfil all contracts and obligations accepted by the late Jam and his predecessors.



- (2) Of my own free will I agree to delegate all powers of administration for five years at least to the Wazir selected or to be selected hereafter by the Government of India, who is to be guided by the Political Agent in all important matters.
- (3) I further agree that the question of my being granted further powers depends upon my conduct and capabilities as shown during the period the management remains in the hands of the Wazir.

(Sd.) MIR KAMAL KHAN.

*Read by and signed in my presence by Kamal Khan.*

(Sd.) JAMES BROWNE, *Major-General,*  
*Agent, Governor-General, Baluchistan.*

*Dated 2nd May 1896.*

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### No. CXXV.

#### CONDITIONS AGREED to by MIR KAMAL KHAN relative to the administration of LAS BELA,—1901.

Whereas His Excellency the Viceroy and Governor-General in Council has been pleased to entrust me with powers to administer the State in future, I, the undersigned, Mir Kamal Khan, hereby accept the following conditions which have been fully explained to me by the Honourable the Agent to the Governor-General in Baluchistan :—

*Firstly.*—I will always conduct the administration of the Las Bela State, in accordance with the advice of the Agent to the Governor-General.

*Secondly.*—I will employ a Wazir approved of by the Agent to the Governor-General and will always act in accordance with his advice in all matters of administration.

*Thirdly.*—I will make no important change in the custom of the country or in the system of administration now established without the concurrence of the Agent to the Governor-General. I will particularly avoid imposing fresh burdens of taxation, and resuming muafi grants. Further before causing sentence of death to be executed I will obtain the sanction of the Agent to the Governor-General.

*Fourthly.*—I will make such allowances from the revenues of the Las Bela State, as the Agent to the Governor-General may now and in future from time to time recommend for the widow, sons and families of my late father and grand-

father. I will similarly make suitable provision for any other servants of the Las Bela State in accordance with the recommendation of the Agent to the Governor-General.

(Sd.) MIR KAMAL KHAN,  
*Jam of Las Bela.*

*Dated the 25th May 1901.*

No. CXXVI.

TRANSLATION of an AGREEMENT between the BRITISH GOVERNMENT on the one side and SARDAR MEHRULLA KHAN, MARRI CHIEF, on the other side,—1885.

I, Sardar Mehrulla Khan, son of Nur Muhammad Khan, Bahawalanzî Guzni Marri, do hereby, in consideration of receiving from the British Government an allowance in the form of service to the amount of Rs. 300 (three hundred) to be increased to Rs. 500 (five hundred) per mensem in the event of the experiment proving successful, cede in perpetuity to the said Government the exclusive right to all petroleum or other mineral oil whatsoever already found or which may hereafter be found at Khatan or in any other part of the Marri country with full liberty for the said Government to extract and remove such petroleum or other oil in any manner and by any way that to it may seem fit.

I empower the British Government to transfer to others all or any of the rights which it acquires under this agreement.

I do further agree that in the event of the wells being abandoned the allowance shall cease.

According to the old custom and procedure in force such mineral rights are the property of the Ruler or of the Sardar himself. I am therefore responsible to answer to any claim or claims that may hereafter be brought forward by the Marris, and should any claims be proved before the Governor-General's Agent for Baluchistan, I hereby bind myself to carry out his award.

Seal of S. MEHRULLA KHAN,  
*Tumandar of Marris.*

*The 24th October 1885.*

WITNESSES.

- { 1. Seal of JALAB KHAN, son of MURAD KHAN,  
*Gasni Marri.*  
2. MIR HASAR KHAN, son of BALUCH KHAN,  
*Gasni Marri.*

Executed in my presence.

(Sd.) R. I. BRUCE,  
*Agent to the Govr.-Genl. in Baluchistan.*



## No. CXXVII.

TRANSLATION of the SETTLEMENT made between SARDAR SHAHBAZ KHAN and the MALIKS of ZHOB, BORI, and MUSAKHEL, and the BRITISH GOVERNMENT,—1884.

1. That we, Sardar Shahbaz Khan, Maliks Dost Muhammad, Tajudin and Muhammad Mir, Jelalzai Jogizais, as well as all other Maliks of Zhub, Bori, and Musakhel, now present execute this agreement in token of our submission to the power and supremacy of the British Government, and we engage to prevent our tribesmen from raiding or committing crimes in British territory. Should any tribesman commit a raid or an outrage we will seize him and make him over to the British authorities.

2. That we, Sardars and Chiefs of Zhub, engage to prevent the return to Zhub of Shah Jehan Sardar Khail, excepting with the sanction of the British Government, after Shah Jehan and the other chiefs who have fled with him have made full submission to the British Government, and on condition that such a request shall only be made by Sardar Shahbaz Khan, and a majority of the Council (Jirga) of the headmen of Zhub.

3. That we Maliks of Zhub and Bori agree to pay within three months from this date a fine of Rs. 20,000 inflicted on us as a punishment for all attacks or offences committed by us against the British Government or its subjects.

4. That we the Musakhel Maliks agree to pay within three months a fine of Rs. 2,000 in condonement of the outrages committed by us in the raid on the coolies, and all other offences committed in British territory. Further that we will within this time produce Maliks Baik Khan and Wazi Khan to tender their submission.

5. That we give the following men with two Motabars of the Sardar Khail, approved of by the Agent to the Governor-General for Baluchistan, as hostages for the fulfilment of these terms; and they will remain present with the Government officers at Thal Chotiali until the amount of the above fine is paid by us, or as long as the British Government consider their presence to be necessary.

6. It is distinctly agreed to by us, Sardars and assembled Chiefs, that the British Government has the right to protect the railway line and trade routes by placing troops in Bori or in any way that may be deemed desirable by the British Government. Should it be finally decided to occupy Bori, all the Sardars and Maliks will recognise the justice of the measure by becoming the faithful and loyal subjects of the British Government.

7. If the Government of India consider it necessary, in order to secure the satisfactory fulfilment of the terms now settled, to place troops in Zhub or elsewhere, they have the right to do so.

8. The request of the Zhub, Bori, and Musakhel tribes, that the British Government should take measures to protect the trade routes in their

countries and settle internal quarrels and feuds between Sardars and Chiefs in the same manner as they do now with regards the Maris, Bugtis, Khetrans, Kakars, and other tribes of the Thal Chotiali district, will be forwarded by the Governor-General's Agent for Baluchistan for the consideration and orders of the Government of India.

*(Here follow the signatures.)*

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CAMP DULAI,  
The 22nd November 1884. }

(Sd.) R. G. SANDEMAN, *President,*  
*Agent to the Governor-General.*

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No. CXXVIII.

TRANSLATION OF A PETITION FROM SHERANI MALIKS OF  
BARGHA, INCLUDING HARIPAL,—DATED APPOZAI, 21ST  
JANUARY 1890.

WE, the Sherani Malikis of the Bargha Division, including Haripal and Kapip, beg respectfully to represent that we are grateful to Government for entertaining us in their service and granting us emoluments. Having unanimously accepted this service we have made distribution amongst ourselves according to our custom, and will carry out the Government service with loyalty and good faith. Our servants (levies) will serve in such posts as Government may fix and will obey Government orders. We have unanimously and unreservedly elected to become British subjects. Should Government wish at any time to establish any cantonments or military posts in our country we will offer no objection. As the neighbouring tribes are our enemies, we pray that the Government may help us in disposing of our quarrels with them in order to secure peace and prosperity in the country. The Sheranis of Largha Division have not as yet come in, and until they make their submission we will consider them as our enemies. In short, we will regard the enemies of Government as our enemies. If any bad character of Bargha commits any crime and takes refuge with us we hold ourselves responsible for such person and will get him punished. We will loyally obey the orders of Government. We have honestly and truthfully submitted this application to you. We, the Malikis, will specially serve Government loyally

*(Here follow the signatures.)*

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No. CXXIX.

TRANSLATION of an AGREEMENT signed by the LARGHA and BARGHA MALIKS,—1895.

As the Government proposed to fix an administrative line of boundary between the tribes of Largha and Bargha Sheranis to prevent all future quarrels among the people of both these parts of the Sherani country, and to establish peace among them, we the maliks and motabirs of the Largha and Bargha Sheranis personally and on behalf of our tribesmen, in presence of Captain Archer, Political Agent, Zhob, and Mr. Gee, Deputy Commissioner, Dera Ismail Khan, agree to accept the boundary line which these two officers have fixed as under.

From Katan Dabra to Shahkoh and from Shahkoh to Panga Narai, from Panga Narai to Mana Narai, and from Mana Narai to Sarwalai, and from Sarwalai to Zarghoon-Zawar, and Zarghoon-Zawar to Pazai Kotal at the head of Dhana Khidderzai, from Pazai Kotal to Tor Sar, and Oboshta Sokai at the north of Kaisargarh, from Tor Sar and Oboshta Sokai to Gat valley, and from Gat valley to Narai Ghar and from Narai Ghar to Zao.

This line is considered to be the separating line of the jurisdictions, *i.e.*, Punjab and Zhob. This will not affect any property or rights held by persons of either division on either side of the line.

*(Here follow the signatures.)*

No. CXXX.

AGREEMENT executed with the SULIMAN KHEL GHILZAIS,—1897.

WHEREAS we, the Maliks of the Sultan Khel, Minzai and Saraz sections which graze in the hills in British territory during the winter and spring, had submitted certain petitions to Government regarding the grant of allowances and of permission to cultivate and whereas Government has been pleased to grant our request on certain conditions, we on behalf of our tribes gratefully agree to the offer made us by Government and accept the conditions imposed, as follows :—

- (1) Government will grant us fixed sums of the following amounts on our arrival in British territory each autumn and again each spring on our leaving for Khorasan :—

Sultan Khels, Rs. 1,425 in the autumn and again in the spring, in all Rs. 2,850 a year.

Minzais, Rs. 450 at each season, in all Rs. 900 a year.

Saraz, Rs. 275 at each season, in all Rs. 550 a year.

We have arranged and had placed on record the distribution of these sums among our different sections and the sums to be paid to minor Malikis within each section.

- (2) Government will grant us the right to bring under cultivation any culturable lands within the limits of Zarmelan, Gul Kach, Girdao and Shinbaza, with regard to which no other claimant can prove recent cultivating occupation.

In return for the above privileges and for the protection of the British Government to our grazing and cultivation, we agree willingly on behalf of ourselves and our tribes to the following conditions :—

- (1) To pay grazing tax in future both in the Zhob District and in the Waziristan District at the following rates, being those now in force in Zhob :—

Male camel, per head 8 annas.

Female camel, per head 1 rupee (or 12 annas per camel, whichever Government may order).

Bullock and cow, per head 6 annas

Donkey, per head 4 annas.

Sheep and goat, per head 1 anna.

We hold ourselves responsible for the collection of the grazing tax with the assistance of Government when necessary.

We can, however, only agree to this on the understanding that grazing tax at the same rates be taken from the Dotanis, who graze alongside us within Waziristan limits. Otherwise we shall be disgraced in the eyes of the other Ghilzais.

- (2) We agree to be responsible for the good behaviour of our sections while residing within the Zhob and Punjab hill tracts and for the detection of offences committed within the limits where our sections are residing.
- (3) We agree to pay land revenue on any land we may bring under cultivation within these tracts whenever Government sees fit to demand it, and we will be responsible for the realisation of such revenue.
- (4) Government has the right to place posts at any place within these tracts, when they may deem it necessary.

We agree to these arrangements coming into force from next autumn, provided that grazing tax is taken from the Dotanis at the same time.

*(Here follow the signatures.)*

Attested.

(Sd.) C. ARCHER, *Captain,*  
*Political Agent, Zhob*

(Sd.) A. J. GRANT,

*The 22nd March 1897. Political Officer, Wana, Southern Waziristan.*





### PART III.

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## TREATIES, ENGAGEMENTS, AND SANADS

relating to

### THE STATE OF JAMMU AND KASHMIR.

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THE commonly known divisions of the territory comprised in the State of Jammu and Kashmir are the provinces of Jammu, including Ladak and Baltistan, and Kashmir and Gilgit.

*Jammu* has from time immemorial been the capital of a Dogra Rajput dynasty. It had acquired some importance under a Chief named Rana Ranjit Dev by the end of the eighteenth century. The neighbouring country was split up into a number of independent hill principalities, such as Kishtwar and Badrawar on the east, Basaoli on the south, Bhimbar and Rajaori on the west and north-west. These Chiefships were constantly quarrelling, and at the beginning of the nineteenth century had become more or less subject to the Sikh Government of the Punjab under Ranjit Singh. His service was joined about this time by three great-grandnephews of Ranjit Dev, namely, Gulab Singh, Dhyan Singh, and Suchet Singh. They rose in favour, and Dhyan Singh became minister to the Maharaja and was able greatly to benefit his family. Gulab Singh distinguished himself in 1820 by capturing the Chief of Rajaori. The principality of Jammu had by then been annexed by the Sikhs, and Ranjit Singh conferred it upon Gulab Singh with the title of "Raja." Shortly afterwards Dhyan Singh was made Raja of Punch (between Rajaori and Muzaffarabad), and Suchet Singh obtained the district of Ramnagar (just east of Jammu) as a Chiefship. In the course of the next fifteen years the three brothers, and especially the eldest, had subdued all the neighbouring hill principalities. After the murder of Dhyan Singh in 1843, followed soon after by the defeat and death of his



brother, Suchet Singh, and the murder of his son, Hira Singh, all their estates fell to the survivor, except Punch, which the Lahore Government confiscated. By the year 1844, therefore, Gulab Singh had acquired authority over nearly all the country included in the present province of Jammu.

*Ladak and Baltistan.*—The early history of Ladak is obscure. The province seems originally to have been a part of Chinese Tibet. At the beginning of the seventeenth century it was conquered by the Balti Chief of Skardo. Then it became independent under a "Gyalpo," or Chief of its own. At the end of the eighteenth century it was attacked by the Moghal tribe of Sokpos. The invasion was repelled with the aid of the Muhammadan Governor of Kashmir, and from this time till 1834 Ladak seems to have been an independent tributary of Kashmir. Baltistan appears to have been independent under the Raja of Skardo till 1840. Ladak and Baltistan were conquered in successive campaigns by Gulab Singh's troops, led by Zorawar Singh and Diwan Hari Chand, between the years 1834 and 1842.

*Kashmir* has undergone many changes. At first it was ruled by Hindu and Tartar kings. Then came a Hindu dynasty, which lasted till the beginning of the fourteenth century. The Muhammadan minister of the last Hindu king seized the government, and for more than two centuries and a half Kashmir remained independent under its own Muhammadan rulers. In 1588 it was conquered by the Emperor Akbar, and the Moghal régime lasted till the latter half of the eighteenth century. The country then became subject to Ahmad Shah Abdali, and was administered by Afghan governors from Kabul, till it was wrested from them by Ranjit Singh in 1819. From this year till 1846 it remained under the Sikhs, governors being appointed by the Lahore Darbar. Of these governors Mian Singh (1833—41), Ghulam Mohi-ud-din (1841—46), and Shaikh Imam-ud-din (1846) are the best known. Mian Singh was murdered by his mutinous troops in 1841. The Lahore Darbar then sent Raja Gulab Singh with Ghulam Mohi-ud-din to Kashmir. They succeeded in quelling the revolt, and the latter remained as governor. He was a close friend and dependent of Gulab Singh.

*Gilgit* appears to have been ruled till the beginning of the nineteenth century by independent Rajas of the Trakhane dynasty, some of whom attained considerable power. Between about 1810 and 1842 there was a succession of revolutions. First Sulaiman Shah of the Khushwakti family of Yasin conquered Gilgit from the last Trakhane Raja. He was killed and succeeded by Azad Khan of Punial, who again was killed and succeeded



by Tari Shah of Nagar. The latter was followed by his son, Shah Sikandar. He was killed and succeeded by Gauhar Aman Khushwakti of Yasin. Meanwhile Karim Khan, brother of Sikandar Shah, applied for aid to the Governor of Kashmir. A Sikh force was despatched under Nathu Shah; Gauhar Aman was defeated and expelled, and Karim Khan was installed in 1842 as Raja of Gilgit, in subordination to the Sikh Government.

By the beginning, therefore, of the Sutlej campaign the provinces which now constitute the State of Jammu and Kashmir had come more or less under the rulers of the Lahore State and one of its principal leaders, Raja Gulab Singh of Jammu. The battle of Sobraon was followed by the British occupation of Lahore and the submission of the Sikhs. Gulab Singh was deputed to treat for peace, and the result was the first Treaty of Lahore (see Volume VIII, Punjab), signed on the 9th March 1846. This treaty left the British Government in possession of the country, hill and plain, between the rivers Beas and Sutlej, and of the hill country between the Beas and the Indus, including the provinces of Kashmir and Hazara. By the same treaty the British Government agreed, as a reward to Raja Gulab Singh for his services to the Lahore State in bringing about the restoration of friendly relations, to confer on him territories in the hills; to recognise his independence in such territories; and to admit him to a separate treaty.

The separate Treaty (No. CXXXI) with Gulab Singh was concluded at Amritsar on the 16th March 1846. This treaty put him in possession of all the hill country and its dependencies between the Indus and the Ravi, including Kashmir, Ladak, Gilgit, and Chamba, and excluding Lahul. In return he was to pay 75 lakhs of rupees. He was also required to refer disputes with neighbouring States to the arbitration of the British Government, and to assist with his whole force the British troops when engaged in the hills. His relations of dependence on the British Government were also generally defined. Thus the present State of Jammu and Kashmir was created by the British Government, when Gulab Singh was established as Maharaja under the treaty of Amritsar.

Maharaja Gulab Singh had some difficulty in obtaining actual possession of the province of Kashmir. The Governor appointed by the Lahore Darbar, Shaikh Imam-ud-din, made for a time a successful resistance, and it was not till the end of 1846 that Maharaja Gulab Singh was established in Kashmir with the aid of both British troops and the Lahore Darbar.

Nor was the occupation by Gulab Singh of the province of Hazara effected without opposition; and it soon became apparent that the Maharaja



would be unable to control the turbulent tribes in the hills of Hazara. Eventually, in 1847, the Governor-General's Agent, after some difficulty, negotiated an Agreement (No. CXXXII), on the basis of an exchange of territory, between the Lahore and Kashmir Darbars, by which the lands in the neighbourhood of Jammu were left with Gulab Singh, while most of the hill country to the west of the Jhelum went to the Lahore State. Hazara was thus transferred to Lahore, and the Jhelum became the western boundary of the State of Kashmir, roughly speaking, between the towns of Jhelum and Muzaffarabad.

A brief account of the other boundaries of the State is given below.

In 1846 and 1847 two commissions were appointed to demarcate the eastern boundary. They were to arrange—first, a boundary between British territory (now the districts of Lahul and Spiti) on the south and the Kashmir territory of Ladak on the north; and then a boundary between Ladak on the west and Chinese Tibet on the east.

The first commission submitted its report in May 1847, and it was accompanied by an explanatory memorandum\* and by a sketch map, showing the boundary between the territories of Maharaja Gulab Singh and British India, as determined by the commissioners.

\* In laying down a permanent boundary through a mountainous country, it appeared to the Commissioners desirable to select such a plan as would completely preclude any possibility of future dispute. This the Commissioners believe that they have found in their adoption as a boundary, of such mountain ranges as form water-shed lines between the drainages of different rivers, as detailed below.

In 1839, when Captain A. Cunningham surveyed the Lahul district, the boundary between the States of Kulu and Chamba was formed by the Nalda and Chukam nullahs, two tributaries of the Chandrabhaga, the one on its left, and the other on its right bank. From the head of the Chukam nullah the Commissioners determined that all the country to the eastward, which is drained by the Bhaga, the Chandrabhaga, and their tributaries, belonged to the British district of Lahul; and that the boundary between Lahul and the Zaskar district, was the snowy range (called Paralasa by Dr. Gerard) dividing the drainage of the Bhaga and Chandrabhaga from that of the Zaskar river, as marked in map (Pl. XXIX).

Beyond the Baralacha Pass to the eastward, the Commissioners found that there was an old well-known boundary stone, called Phalangdanda, which marked the limit between Lahul and Ladak. This stone is noticed by Moorcroft l. p. 220. It stands in the midst of an open plain on the right bank of the Yunam river. As there was no known or recognised boundary mark on the other side of the stream, the Commissioners selected a remarkable cream-coloured peak, called Turam, as the northern limit of the British territory on the left bank of the river. As this peak is situated at the end of one of the spurs of the great snowy chain, already determined as the northern limit of the Lahul district, it forms a natural continuation of the boundary line from the westward. The bearing of the Turam peak from the Phalangdanda is 9° to the northward of west.

As it appeared that the country to the eastward of the Phalangdanda belonged to Piti (Spiti), the Commissioners determined that the boundary between Piti and Ladak on the westward should be the Yunam river. A straight line was accordingly drawn from the Phalangdanda to the junction of the first nullah on the right bank of the Yunam, from which point the Yunam river forms the boundary as far as the junction of the Cherpa or Cherep river.

As regards the Ladak-Tibet boundary, the commissioners could not, owing to Imam-ud-din's rebellion in Kashmir, reach the Tibet border. Mr. Vans Agnew, one of the commissioners, however, wrote a memorandum in which he pointed out that the line was, as he thought, already sufficiently defined by nature, and recognised by custom, with the exception of its two extremities.

On the appointment of the second commission steps were taken to secure the co-operation of Chinese and Kashmir officials; but no Chinese delegate appeared, and the demarcation of the boundary had to be abandoned.

The northern as well as the eastern boundary of the Kashmir State is still undefined.

On the north-west, also from Hunza southwards along the frontier of Yasin, Darel, Tangir, and Chilas to Kaghan, no boundary has been officially laid down.

On the south the only portion of the British-Kashmir boundary which has been regularly demarcated is that which lies between the rivers Jhelum and Ravi from a point above Dulial to Madhopur. This settlement was made by Captain Abbott with the aid of commissioners of the Lahore and Kashmir Darbars. But the Hazara exchange affected Captain Abbott's decisions on the border between the Jhelum and the Chenab, as it gives to Kashmir the talukas of Kathua and Suchetgarh with part of Minawar, which had been awarded by Captain Abbott to Lahore. In 1847 the Government of India took over from Gulab Singh the districts of Sujampur, part of Pathankot, and certain lands between the Chaki and Beas rivers, as a set-off against charges on account of the maintenance of some hill Chiefs, who had removed from Kashmir into British territory (see account of the minor jagirdars, *infra*).

Almost due north-east from this junction there is a remarkable square rock on the top of the hill, which from its resemblance to a fort has received the name of Lanka. This curious and well-known peak was selected as another fixed point in the boundary, to which a straight line should be drawn from the junction of the Cherpa river. Beyond this to the eastward, the Commissioners, adhering to the principle which they had first laid down, determined that the whole of the Cherpa valley and its tributaries belonged to the British Government, and that the snowy range on its right bank, which feeds all the northern affluents of the Cherpa river, should be the boundary between Ladak and the British district of Piti. This same range extends towards the east past the southern end of the Chomorisiri lake, where it forms the well-known boundary between Ladak and the Chinese territory. The Commissioners, therefore, determined that the boundary between Ladak and Piti should continue from the head of the Cherpa along this same range to the Chinese boundary, thus including within Piti all the streams which water that district, and giving to Ladak all the streams which water its southern district of Ratchu.



On the south-east the southward course of the river Ravi is the boundary for most of the border between Madhopur and a point thirteen miles west by north of the town of Chamba.

In 1846 a question arose as to whether under the Treaty of Amritsar it was intended to make over the whole of Chamba, trans and cis-Ravi, to Kashmir. When that treaty was made Gulab Singh was in possession of the district of Lakhanpur, which clearly belonged to the British territory acquired by the Treaty of Lahore. The Chamba Chief claimed the district of Badrawar, which had been granted to him by Ranjit Singh, but which was then held by Kashmir, and had undoubtedly been transferred to that State by the Treaty of Amritsar. The Raja of Chamba had been tributary to the Sikh Darbar, and objected to occupying that position under Gulab Singh. These difficulties were settled by Colonel Lawrence, who made an arrangement\* between the Kashmir and Chamba States and the British Government. The main points in it were that Kashmir retained Badrawar, and acquired Lakhanpur and Chandgraon, while Chamba on both sides of the Ravi became independent of Kashmir, the Raja transferring his allegiance to the British Government.

After the conclusion of the Treaty of Amritsar the intercourse of the British Government with Kashmir was for some time of an ordinary character. The conduct, however, of Maharaja Gulab Singh during the last struggle of the Sikhs in 1849 excited grave suspicions. He died on the 4th August 1857, and was succeeded by his son, Ranbir Singh. Both Gulab Singh and Ranbir Singh rendered important services in the mutiny. In 1862 the right of adoption was guaranteed to Maharaja Ranbir Singh by a Sanad (No. CXXXIII), and he was assured that, in the event of his death without natural issue and without adopting an heir, the British Government would recognise the succession of a collateral relative descended from the common ancestor of the family, Throv (Dhrub) Deo, subject to the condition that a nazarana of a year's revenue of the State should be paid.

The most important jagirdar or feudatory under the Maharaja of Jammu and Kashmir is the Raja of Punch. This estate was allotted by Maharaja Ranjit Singh, of the Punjab, to Gulab Singh's brother, Dhyan Singh, who had three sons, Hira Singh, Jawahir Singh, and Moti Singh. Dhyan Singh died in 1843. Hira Singh appears to have succeeded to his father's estate, but after his death in 1844 the Lahore Government confiscated it. When the British conquered the Sikhs the hilly country, with its

\* *Vide* letter No. 180, dated the 22nd November 1847, from the Agent to the Governor-General, North-West Frontier, and Resident at Lahore.

dependencies, east of the Indus, was transferred by the British Government to Maharaja Gulab Singh by the treaty of 1846 (see Vol. VIII, Punjab). This tract included Punch. Subsequently Maharaja Gulab Singh appears to have granted Punch and other *ilakas* to Jawahir Singh and Moti Singh. In 1848, a dispute having occurred between the brothers and Gulab Singh, the Resident at Lahore, Sir F. Currie, effected a settlement, whereby the Maharaja gave to the two Mians, as they were then styled, two other *ilakas*, Chalayar and Vatala, and other villages; granted them the title of Raja; and remitted the service of one battalion which he had previously exacted from them. The Rajas were, as nephews of the Maharaja, jointly to present every year to the Maharaja one horse with gold trappings, or Rs. 700 in cash, and they were not to commit any important act in their territory without the advice of, and without consulting, the Maharaja. The two Rajas, however, subsequently quarrelled, and in 1852 the Board of Administration for the Affairs of the Punjab brought about a settlement of the dispute, whereby the whole of Punch was given to Moti Singh, and his share of the Dasehra peshkash of Rs. 700 previously paid by the Rajas to Maharaja Gulab Singh, was fixed at one-third. Moti Singh held Punch till his death in 1892. His son, Baldeo Singh, was recognised as his successor and was installed on the 17th April 1893. A Sanad (No. CXXXIV) was granted him by the Maharaja of Kashmir, and the Raja bound himself, among other things, to continue to Kashmir the annual tribute of Rs. 233-5-4; to refer sentences involving capital punishment or imprisonment for life to the Maharaja; and not to engage, without the permission of the Kashmir Darbar, any British subject drawing more pay than Rs. 40 a month.

The minor jagirdars may be divided into two classes, *viz.*, the Chiefs of the old hill principalities in the neighbourhood of Jammu, and the Kakka Bambas, who are petty Muhammadan Rajas living on the banks of the Jhelum, between Baramula and Hazara.

By the fifth article of the supplementary Treaty of Lahore, dated the 11th March 1846, the British Government agreed to "respect the *bonâ fide* rights of those jagirdars" within the territories ceded by the Lahore State who were "attached to the families of the late Maharajas Ranjit Singh, Kharak Singh, and Sher Singh; and to maintain those jagirdars in their *bonâ fide* possessions during their lives." In regard to the portions of the ceded territories transferred by the British Government to Maharaja Gulab Singh this obligation was imposed on the new ruler by the eighth article of the Treaty of Amritsar.



In 1846 a settlement was effected between the Maharaja and the Hill Chiefs under the guarantee of the British Government. Under the terms of this settlement certain cash allowances, aggregating Rs. 62,200 a year, were assigned (No. CXXXV) in perpetuity to the Rajas of Rajaori, Jasrota, Mankot, Ramnagar, Basaoli, Kishtwar, and others. The Chiefs were given the choice of remaining in or quitting the Maharaja's territories, and most preferred the second alternative. The share of the latter was Rs. 42,800, which the British Government undertook to pay.

With the Kakka Bambas, who had been among the most formidable opponents of Maharaja Gulab Singh, an arrangement was made by the Kashmir State, which was not guaranteed by the British Government. These Chiefs promised allegiance to the Maharaja, while he on his part promised to treat them kindly, to confirm all the grants made up to one year before the death of the Sikh Governor, Shaikh Mohi-ud-din, and to remit one-fifth of the tribute paid to the Sikhs. They are bound to supply a certain number of soldiers for the Maharaja's service. The Chiefs mentioned in connection with this arrangement were the Sultans of Muzaffarabad, Dopatta, Kathai, Uri, and Karnao, and the Rajas of Buniar, Chattar, and Danna, and Danna and Kot, with Raja Muzaffar Khan Haibat Khan of Madhopuria.

In 1864 considerable reductions were made by the Maharaja in the customs duties levied on goods imported into Kashmir; the method of collection was simplified, and a transit duty of 5 per cent. on goods conveyed *via* Srinagar was imposed in lieu of the fiscal exactions which had led to the abandonment of that trade route between British India, Tibet, and Eastern Turkistan. These liberal measures were followed by a marked increase in the trade between Kashmir and the adjoining British districts; but as complaints of the exactions committed by Kashmir officials at Leh were of frequent occurrence, a British officer was deputed to Ladak in 1867 for the purpose of securing adherence to the tariff of 1864, and the confidence of traders was re-established. All duties in Ladak have now been abolished.

In April 1870 a commercial Treaty (No. CXXXVI) for the purpose of developing trade with Eastern Turkistan was concluded between the British Government and Kashmir. The Maharaja engaged to abolish all transit duties on goods passing between British India and Eastern Turkistan, and *vice versa*, and consented to the appointment of joint commissioners, one nominated by the British Government and one by the Maharaja, with power to arrange for the convenience of travellers on trade routes; to settle

disputes; and to exercise limited magisterial jurisdiction. In return the British Government agreed to abolish the export duty on Kashmir shawls; and to refund the customs duty levied on all goods imported from British territory to Kashmir, whether for consumption there or for export to Eastern Turkistan. In 1872 rules\* for giving effect to article 9 of this treaty were promulgated. They provide for the refund of duty paid on sea-borne goods intended for export beyond Kashmir, provided the goods are declared and sealed for transmission in bond by certain specified routes. These rules† were modified in 1875, so as to allow of the refund on goods for Turkistan being made at Leh.

In 1872 rules (No. CXXXVII) were made by the Government of India, with the consent of the Maharaja, for regulating the powers of the British officer at Srinagar in respect of civil and criminal cases; for preserving order amongst visitors; and for the establishment of a mixed court for the decision of civil suits between European British subjects and their servants on the one hand, and subjects of the Maharaja on the other. These rules were superseded in 1891, when the Resident and his assistants were invested‡ with the necessary powers for enquiring into and trying criminal cases against European British subjects and certain others. They have been invested also with powers to dispose of civil suits in which both parties are British subjects, or in which the defendant is a European British subject, or a Native Indian subject of His Majesty not ordinarily dwelling, or carrying on business, or personally working for gain, within the territories of the Maharaja. The mixed court, established in 1872, which had not worked well, was at the same time abolished.

On the 1st January 1877, on the occasion of the Delhi Darbar, a personal salute of 21 guns was granted to Maharaja Ranbir Singh, and the title of "Councillor of the Empress" was conferred upon him as a personal distinction. At the same time the hereditary title of "Indar Mahindar Bahadur Sipar-i-Saltanat" was conferred upon the Maharaja of Jammu and Kashmir.

Up to 1877 political relations with Kashmir were conducted through the Government of the Punjab. In that year, however, "the Officer on Special Duty" in Kashmir was placed directly under the orders of the Government of India.

In 1878 an Agreement (No. CXXXVIII) was concluded, providing for the construction, on certain conditions, of telegraph lines from Jammu to Srinagar and from Srinagar to Gilgit.

\* See Appendix No. V.

† See Appendix No. VI.

‡ See Appendix No. VII.



In 1888 an Agreement (No. CXXXIX) was entered into for the construction, on certain conditions, of a railway between Sialkot and Jammu. The line was completed and opened to traffic on the 13th March 1890. In the original agreement the Darbar consented to provide funds for the construction of the whole line, the proportion spent on the section lying in British territory being treated as a loan from the State to the British Government. This arrangement was subsequently modified by a supplementary Agreement (No. CXL), wherein it was arranged that the British Government should pay for the British section of the line. In 1890 an Agreement (No. CXL1) was drawn up for the construction of a new telegraph line from Suchetgarh to Jammu along the Jammu-Kashmir State railway.

During the year 1892 the Kashmir Darbar consented to transfer to the Indian Telegraph Department the working of all lines of telegraph in the Maharaja's territories.

Maharaja Ranbir Singh died on the 12th September 1885, and was succeeded by his eldest son, Pratap Singh.

Up to this time the Government of India had been represented in Kashmir by an officer termed "the Officer on Special Duty," but on Ranbir Singh's death a Resident was appointed. He was instructed by the Government of India to endeavour to bring about administrative reforms which were urgently needed in Kashmir. In 1889 Maharaja Pratap Singh, whose administration since his accession had been a source of anxiety to the Government of India, voluntarily resigned all active participation in the government of his State. His Highness' resignation was accepted, and the opportunity was taken to reorganise the administration, which was handed over to a council consisting of the Maharaja's two brothers, Ram Singh and Amar Singh, the former of whom has since died, and certain selected officials from the British service. It was stipulated that, though the council should exercise full powers, they were to take no important step without consulting the Resident, and were to be guided generally by his advice. In November 1891 the Maharaja was restored, at his own request, to a portion of his powers. The council, which had on the whole worked satisfactorily, was continued, with the Maharaja as President. The condition requiring the Darbar to be guided by the Resident's advice was maintained, with the Maharaja's full concurrence. In October 1905 the Maharaja was entrusted with a greater measure of administrative responsibility; the State council was abolished; its administrative powers being transferred to the Maharaja, subject to conditions, which left the practical control of the Resident unimpaired.

Maharaja Pratap Singh was granted the honorary rank of Colonel in the British army in 1888, and that of Major-General in 1896, and was created a Knight Grand Commander of the Star of India in 1892. He attended the Delhi Coronation Darbar in January 1903. A son and heir was born to the Maharaja on the 30th November 1904, but he died on the 13th July 1905.

In 1894 the State postal service was amalgamated with the Imperial system, and in 1897 the Darbar entered into an Agreement (No. CXLII) for the interchange of messages between the State and the Imperial telegraph system.

In 1898 a revised agreement was entered into between the Maharaja and the Government of India for the working of the Jammu and Kashmir State railway by the North-Western railway. This was slightly modified in January 1905, while in January 1906 a fresh Agreement (No. CXLIII) was entered into in supersession of all previous ones. By clause 18 of this agreement the Maharaja undertook to grant to the British Government full jurisdiction over land which may be occupied from time to time by the railway or its premises. The agreement is to last for 5 years with effect from the 1st January 1903.

In 1898 the Agreement of 1890 (No. CXLI) was rescinded, the cost of the telegraph line from Suchetgarh to Jammu (Rs. 13,591-4-0), which had been borne by the Darbar, was refunded to it and the line was thereafter dealt with like all other telegraph lines in India.

In 1899 the Maharaja entered into an Agreement (No. CXLIV) for the effective control and discipline of his Imperial Service troops when serving beyond the frontiers of his State. A portion of the Imperial Service troops took part in the Hunza-Nagar campaign of 1891, and in the North-West Frontier expeditions of 1895 and 1897-1898. In 1900 the Darbar joined all the Punjab Native States, which furnish Imperial Service troops, in agreeing to the mutual surrender of deserters, other than officers, escaping from one State to another.

In 1905 an agreement was come to by which the Darbar are allowed to withdraw from the Chenab river into the Aknoor canal, between the 1st October and the 31st March every year, a maximum amount of 600 cusecs of water, of which 350 cusecs may be used for irrigation and the balance is to be returned to the Tawi.

The area of Jammu and Kashmir is about 80,900 square miles. The population, including that of Ladakh, Baltistan, Gilgit, and Punch, is 2,905,578, according to the census of 1901. The revenue is about Rs. 84,50,000.



The combatant military forces of the State, exclusive of 151 cavalry, 2,918 infantry, and 416 artillery men, who form the Imperial Service troops, consist (1905) of 106 cavalry, 2,593 infantry, 208 artillery men, 219 serviceable and 87 unserviceable guns, and 1,521 armed police.

The Maharaja of Kashmir ordinarily receives a salute of 21 guns within, and 19 guns without, the limits of his territories. The latter was finally approved in Her Majesty's Order in Council, dated the 26th June 1867, while the Chief's right to the former was recognised by Her Majesty in 1878.

### GILGIT AGENCY.

From 1877 to 1881 a British officer was stationed as Political Agent at Gilgit, which is a division of the Kashmir State, lying north of Kashmir on a tributary of the upper Indus, and separated from the main valley by high and difficult mountain ranges. In 1881 it was deemed advisable to withdraw the Political Agent; but in 1889 the Agency was re-established. The garrison, which had previously consisted of ill-trained and inefficient Kashmir troops, was strengthened and placed upon a proper footing; and the force was placed under the control of the British officers of the Agency. The improvement of the Gilgit road was also taken in hand.

In 1891, owing to the failure of the Chiefs to keep their engagements, a combined force of British Indian and Kashmir troops advanced into Hunza-Nagar and after sharp fighting occupied the country. In 1895 a combined force of British Indian and Kashmir troops assisted in quelling the Chitral disturbances, and since then the garrison of Gilgit has been gradually reduced, until it consists (1905) of only one brigade of Kashmir Imperial Service troops composed of two battalions of infantry, one mountain battery of four guns, and two companies of sappers and miners.

The Gilgit Agency comprises (1905) the following districts :—

1. The Gilgit Wazarat, which includes the Tahsils of Gilgit and Astor and the Niabat of Bunji.
2. The States of Hunza and Nagar.
3. The Shinaki republics of the Chilas district in the Indus valley.
4. The Governorship of Punial.
5. The Governorship of Yasin, Kuh, and Ghizr.
6. The Governorship of Ashkuman.

### I.—GILGIT WAZARAT.

A regular land revenue settlement of the Gilgit Wazarat was made in

1893-1894, and this district is directly administered by the Kashmir State officials. The other districts, with the exception of Punial, are autonomous as regards their internal affairs, but all are subject to the control of the Political Agent, and all pay some form of tribute to the Kashmir State. Punial enjoys the same degree of autonomy as the other districts, with the exception that cases of serious crime, such as murder, are, with the Political Agent's approval, enquired into by the local representative of the Kashmir State at Gilgit.

## II.—HUNZA AND NAGAR.

Hunza and Nagar are two small Chiefships situated to the extreme north-west of Kashmir. They are divided by the Hunza river. Towards the north they extend into the mountainous region which adjoins the junction of the Hindu Kush and Mustagh ranges; towards the south they border on Gilgit; and on the west Hunza is separated from Ashkuman and Yasin by a range of mountains, while the Mustagh range trending southward shuts Nagar off from Baltistan on the east.

The inhabitants of Hunza and Nagar come from one stock and speak the same language, but there has always been in the past, and, in a lesser degree, there is still, a considerable amount of ill-feeling between the two communities. The people of Hunza are Maulais (*i.e.*, followers of His Highness the Agha Khan) while the people of Nagar are Shias.

Chaprot and the fort of Chalt and its connected villages, lying between Hunza and Nagar and Gilgit, were long a source of contention between the two States, but in 1877 the Nagar Chief, with the assistance of the Kashmir Darbar, succeeded in obtaining possession of the disputed tract. From that date up to 1886 Chaprot and Chalt were held by Nagar and Kashmir troops. In 1886, when General Sir William Lockhart (then Colonel Lockhart) visited Hunza, the Thum of Hunza refused to allow his mission to proceed unless he would promise to restore these places to Hunza. Colonel Lockhart induced the Nagar ruler to remove the Nagar men, and the garrison has, since then, been solely furnished by Kashmir troops.

In 1886 Ghazan Khan, the Thum of Hunza, was murdered by his son, Safdar Ali, who after his accession professed his submission to the Maharaja of Kashmir. In 1888, however, the Hunza and Nagar States combined, succeeded in ejecting the Kashmir garrison from Chaprot and Chalt, and even threatened Gilgit. Finally, however, in August of the same year Chaprot and Chalt were reoccupied by Kashmir troops.

On the re-establishment of the British Agency at Gilgit in 1889 the Agent, Colonel (then Captain) Durand visited Hunza and Nagar, and the



Chiefs bound themselves to accept his control ; to permit free passage to officers deputed to visit their countries ; and to put an end to raiding on the Yarkand road and elsewhere. Subject to these conditions the Government of India sanctioned for the Chiefs yearly subsidies of Rs. 2,000 each in addition to those already paid by the Kashmir Darbar. Shortly afterwards, in October 1889, an increase of Rs. 500 a year was granted to the Hunza Chief's subsidy, conditional on his good behaviour.

The Chiefs, however, failed to act up to their engagements, and their attitude continued to be unsatisfactory. In May 1891 a combined force from Hunza and Nagar threatened the Chalt fort, but dispersed on the arrival of reinforcements.

In November 1891 the Chiefs were informed that it was necessary to make roads to Chalt and on into their country. They refused to agree, insulted the British Agent's messenger, and assembled their tribesmen in strong positions, blocking the paths into their valley. Their positions, however, were carried after sharp fighting, and Nagar and Hunza were occupied. Thum Zafar Zahid Khan of Nagar, who had been acting under the ascendancy of his turbulent eldest son, Uzr Khan, at once submitted. Thum Safdar Ali Khan of Hunza and his Wazir, Dadu, fled to Chinese Turkistan, where the former is still detained under surveillance by the Chinese authorities. Raja Uzr Khan of Nagar was deported to Kashmir, where he is still a state prisoner. The subsidies paid to both Chiefs by the Government of India and by the Kashmir State were withdrawn. A military force was maintained in Hunza and a political officer was left there to supervise the affairs of the State. This arrangement continued till 1897, when the garrison was replaced by the Hunza and Nagar levies and the permanent political officer was withdrawn. On the 15th September 1892 Muhammad Nazim Khan, a half-brother of Safdar Ali, was formally installed as Thum of Hunza by the British Agent in the presence of two Chinese envoys, who attended the Darbar as honoured guests of the Government of India. Thum Zafar Zahid Khan was reinstated by the Kashmir Darbar, with the approval of the Government of India, as Chief of Nagar, his installation taking place on the 22nd September 1892. Sanads (Nos. CXLV and CXLVI), approved by the Government of India, were granted by the Maharaja of Kashmir to both Chiefs. At the commencement of 1895 subsidies, amounting to Rs. 4,000 each, were renewed to the Chiefs, half the amount being granted by the Government of India and the other half being paid by the Kashmir Darbar.

In the same year both Chiefs loyally assisted in the operations for the relief of the British garrison in Chitral, and were suitably rewarded.

Thum Muhammad Nazim Khan of Hunza and Raja Sikandar Khan of Nagar attended the Coronation Darbar at Delhi on the 1st January 1903, on which date they were both made Companions of the Indian Empire.

In 1904 Thum Zafar Zahid Khan of Nagar, who had long been bed-ridden, died, and was succeeded by his son, Sikandar Khan. The latter was formally installed as Thum of Nagar in June 1905 by the Political Agent.

The Hunza Chief, in view of his claim to Raskam and the Taghdumbash districts, which are situated to the north of the Hindu Kush watershed, has been permitted to continue to keep up an exchange of presents with the Chinese authorities in Kashgar. As regards Raskam the Chinese authorities have acknowledged in writing the right of Hunza to cultivate the tract, and in 1899 a small contingent of Hunza people started cultivating it. Eventually, however, the settlers were compelled to leave by the Chinese. Since 1896 the local Chinese authorities have permitted the Hunza Chief to take a small tribute from the graziers who resort in summer to the Taghdumbash Pamiir. The whole question of Hunza's relations with China is now (1906) under consideration by His Majesty's Government.

Both Hunza and Nagar are autonomous as regards their internal affairs, but both acknowledge the suzerainty of His Highness the Maharaja of Kashmir, to whom they pay a tribute of nominal value. Both States furnish a quota of levies for the defence of the frontier; these receive pay from the Kashmir State, and are armed with Snider carbines presented by the Government of India.

### III.—SHINAKI REPUBLICS OF THE INDUS VALLEY.

The territory of the Shinaki republics of the Indus valley extends from Ramghat, where the Astor river joins the Indus, to Seo on the right bank and Jalkot on the left bank of the Indus. Within this area the people are grouped in communities inhabiting one or more nullahs. Each community comprises a republic in itself. Starting from Ramghat down the Indus these republics are—

#### *Right bank of the Indus.—*

GOR, with nullahs of Thaliche,  
 Dirkil, Gor, Am Ges, Ke Ges, Moshtar.  
 KINERGAH (Chilas proper).  
 HODAR (with Hookargah).

#### *Left bank of the Indus.—*

BUNAR.  
 THAK (with Niat and Babusar).  
 BUTOGAH (Chilas proper).  
 GICHE (Chilas proper).  
 THOR (with Thrill).

These comprise the area now known as the Chilas subdivision of the Gilgit Agency.



Below these are—

*Right bank of the Indus.—*  
DAREL (with Khanbari).  
TANGIR.  
KHILLI.  
SEO.

*Left bank of the Indus.—*  
HARBAN.  
SAZIN  
JALKOT.

After the conquest of Chilas by Kashmir in 1851 the Maharaja imposed a tribute of gold dust upon the country, and arranged for its administration as a part of the Gilgit district. In 1889, when a British Agency was again established in Gilgit, the group of States now known as Chilas proper were included in the Agency, except Thor; and it was stipulated that the Kashmir Governor of Gilgit should take no important action in dealing with these Kashmir feudatories except on the Agent's advice.

In October 1892 the Gor headmen came into Gilgit and expressed the desire that a British officer should visit their country. On the 2nd November the Governor of Gilgit granted the people of Gor a Sanad (No. CXLVII), countersigned by the British Agent at Gilgit, promising, among other things, that no revenue should ever be taken from them beyond the tribute then paid by them. This was reaffirmed by the British Agent on the 13th December 1894. At the end of November 1892 Sir George (then Surgeon-Major) Robertson was despatched on a mission to Gor. An attack on the mission by the Chilasis resulted in the occupation of their country by the British, and the subsequent appointment of a political officer at Chilas. The autonomy of the Chilasis was, however, guaranteed, while the right of the Kashmir State to construct roads and place a limited number of troops in that territory was secured.

In 1897 the lands which had been taken from the Chilasis, after the disturbances of 1893, were given back to them, and the whole system of tribute paid by the Chilas district to the Darbar was revised and a new scheme sanctioned, with the acquiescence of the Darbar. In accordance with this the valleys were to pay small fixed sums to the Darbar, the Khan of Astor being given a lump sum of Rs. 40 as compensation for the tribute hitherto paid to him by Bunar.

In the same year a proposal to invest the Political Officer in Chilas with certain judicial powers was rejected, the policy, which had been enunciated in 1896, being reaffirmed that the internal administration of the country belonged to the Chilasi headmen.

In 1893 Thor was, at the request of the inhabitants, incorporated in Chilas; a Sanad (No. CXLVIII) was granted to the people and they were given service money, provided by the Darbar, in return for a yearly

*nazarana* of 12 male goats paid to the Maharaja of Kashmir. Thor had, like Chilas, been tributary to Kashmir after the conquest of Chilas by Kashmir, and in the events which led up to the occupation of Chilas the Thor people appear to have acted conjointly with the Chilas, but they were lost sight of in the subsequent tribal arrangements, though in April 1894 their valley was visited by Captain Powell, then Political Officer at Chilas, when the people swore fidelity to the British Government.

Darel has paid an annual tribute of gold dust to the Darbar ever since 1866, when the Maharaja's troops raided the country. This tribute is paid through the Punial governor, a Burishe Raja, a family which has influence in Darel, owing to the relative geographical positions of Darel and Punial, and to the fact that all Shinaki tribes regard with much respect a well-born neighbour, whether of influence or not. For this reason Tangir, though a republic like other Shinaki communities, always defers to the Khushwakt rulers of Yasin, who have established a right to interference \* in Tangir due to their birth and to the exercise for a considerable time of their authority amongst Tangiris.

The remaining communities have no political relations with either Kashmir or India except Jalkot, which, from its position, dominates, though only in the summer months, Thor and the head of the Kaghan valley. This has led to attacks on Thor and raids on travellers in the upper Kaghan at various times during the months of June to October, when the passes are open at the head of the Jalkot nullah.

The communities on the Indus below the limits of the Shinaki republics are known collectively as Kohistan. Their intercourse is confined to the Swat valley and to the Black mountain tribes.

#### IV.—PUNIAL.

Punial is the name given collectively to the six fort villages and their connected hamlets, which are situated in the valley of the Gilgit river, between Gilgit on the one side and the Khushwakt districts of Kuh and Ashkuman on the other.

The district was long a bone of contention between the Kashmir State and the Kator and Khushwakt rulers of Chitral, Mastuj, and Yasin, but finally, about the year 1860, it came into the possession of the Maharaja of Kashmir, who, in return for services rendered in the wars which finally established the Dogra rule on the right bank of the Indus, conferred the district in jagir on Raja Isa Bahadur, a member of the Burishe section of the

\*The Governor of Yasin is not allowed now to interfere in the internal affairs of the Tangiris but, as the latter are permitted to graze their flocks in Yasin territory, he is allowed to exact a small yearly tribute.



Chitral dynasty. Although the ruling family came originally from Chitral the majority of the inhabitants are Shins and Yashkuns, of whom three-fourths are Maulais, *i.e.*, they recognise His Highness the Agha Khan as their spiritual head, and the rest are Sunnis.

On Raja Isa Bahadur's death his son, Raja Muhammad Akbar Khan, succeeded to the jagir, which was brought under the Gilgit Agency on its re-establishment in 1889. Since that time it has been the custom for serious offences, such as murder, to be investigated by Kashmir officials; otherwise the jagir continues as independent of the Darbar as Hunza and Nagar are. Raja Muhammad Akbar Khan rendered valuable services to the British Agent during the Hunza-Nagar expedition and the Chitral disturbances, and was created a Khan Bahadur in 1901. He enjoyed a small yearly allowance of Rs. 1,200, granted in 1889, from the British Government in addition to the allowances which he received from the Kashmir Darbar. In 1905 Muhammad Akbar Khan, owing to his complicity in certain murders and his systematic efforts to conceal crime, was deprived of his title of Khan Bahadur and of his honorary title of Raja, and was sent down to Kashmir as a state prisoner for 10 years, during which period his jagir was to be resumed. At the expiry of the 10 years he is to be allowed to reside on his jagir in Kashmir for the rest of his life subject to such police surveillance as may be necessary. During the minority of Muhammad Anwar Khan, the son of the *ex-jagirdar*, the jagir is being administered by Raja Sifat Bahadur, a half-brother of Raja Muhammad Akbar Khan. The position of Raja Sifat Bahadur, who is styled Governor, is that of a paid official, and he is expected to report all cases of serious crime to the Political Agent and the representative of the Kashmir Darbar at Gilgit; he is not permitted to apply the revenue of the district to his own private needs. Sifat Bahadur had been granted an annual allowance of Rs. 300 in 1902 by the British Government. On his appointment as Governor, this was transferred to other members of his family, and he was granted a salary of Rs. 1,820 a year, Rs. 1,200 of which is paid by the British Government and the balance by the Darbar: he also receives an allowance of Rs. 480 as levy leader.

The district furnishes a small quota of levies for the defence of the frontier. These are paid by the Kashmir Darbar, but are armed with Snider carbines presented by the British Government.

The Governor, when recovering the annual tribute payable by the neighbouring independent State of Darel to Kashmir, is permitted to take a nominal tribute for himself.

## V.—YASIN, KUH, GHIZR, AND ASHKUMAN.

When the officer on special duty in Gilgit was appointed in 1877, all these districts were under the rule of Mehtar Pahlwan Bahadur, a member of the Khushwakt section of the Chitral ruling family. Pahlwan Bahadur acknowledged the suzerainty of the Kashmir State, from whom he received a subsidy, but he failed to act up to his engagements; and in 1880 he invaded Punial. Yasin was occupied in his absence by Aman-ul-Mulk of Chitral, and Pahlwan, having failed in his attack on Punial, fled from the country. Aman-ul-Mulk was permitted by the Kashmir Darbar to incorporate the whole tract in his own territory, and, with their consent, he partitioned it as follows: he gave Ghizr to Muhammad Wali, Yasin proper to Mir Aman, and retained Mastuj himself. After the fresh disturbances created by Pahlwan Bahadur in 1882 Aman-ul-Mulk turned Mir Aman out of Yasin and put his son, Afzal-ul-Mulk, in his place. The Darbar acquiesced.

In 1895, on the restoration of peace in Chitral, these and the Khushwakt districts on the west of the Shandur range (the boundary between the Chitral and Gilgit Agencies) were severed from Chitral and are now administered by governors, who hold the position of paid officials and have no hereditary rights.

The revenue of the districts is taken by the governors, but a certain proportion is credited to the Kashmir Darbar as tribute. The governors and certain of the headmen under them receive fixed stipends from the Kashmir Darbar.

Yasin, Kuh, and Ghizr are at present (1906) incorporated in one district under Mehtar Jao Abdur Rahman Khan, eldest son of the late Pahlwan Bahadur, while Ashkuman is administered by Mir Ali Mardan Shah, the *ex-Chief* of Wakhan, who has resided in the district since 1882, when he was driven out of his own country by the Afghans.

The Yasin governorship furnishes a quota of levies for the defence of the frontier. These are paid by the Kashmir Darbar and are armed with Snider carbines presented by the Government of India.

The Government of India have ruled\* that the districts of Hunza, Nagar, and Chilas, and the Khushwakt districts mentioned above, are not Kashmir territory, though they are under the suzerainty of Kashmir, and consequently Kashmir State officials are not permitted to interfere directly in their internal administration.

\* Foreign Department's letter No. 1800, dated the 24th July 1901.



## No. CXXXI.

TREATY between the BRITISH GOVERNMENT on the one part and MAHARAJAH GOLAB SING of JUMMOO on the other, concluded on the part of the BRITISH GOVERNMENT by FREDERICK CURRIE, ESQUIRE, and BREVET MAJOR HENRY MONTGOMERY LAWRENCE, acting under the orders of the RIGHT HONOURABLE SIR HENRY HARDINGE, G.C.B., one of HER BRITANNIC MAJESTY'S MOST HONOURABLE PRIVY COUNCIL, GOVERNOR-GENERAL, appointed by the HONOURABLE COMPANY to direct and control all their affairs in the EAST INDIES, and by MAHARAJAH GOLAB SING in person,—1846.

## ARTICLE 1.

The British Government transfers and makes over for ever, in independent possession, to Maharajah Golab Sing and the heirs male of his body, all the hilly or mountainous country, with its dependencies, situated to the eastward of the river Indus and westward of the river Ravee, including Chumba, and excluding Lahul, being part of the territories ceded to the British Government by the Lahore State, according to the provisions of Article IV, of the Treaty of Lahore, dated 9th March 1846.

## ARTICLE 2.

The eastern boundary of the tract transferred by the foregoing Article to Maharajah Golab Sing shall be laid down by Commissioners appointed by the British Government and Maharajah Golab Sing respectively for that purpose, and shall be defined in a separate Engagement after survey.

## ARTICLE 3.

In consideration of the transfer made to him and his heirs by the provisions of the foregoing Articles, Maharajah Golab Sing will pay to the British Government the sum of seventy-five lakhs of Rupees (Nanuk-shabee), fifty lakhs to be paid on ratification of this Treaty, and twenty-five lakhs on or before the first October of the current year, A. D. 1846.

## ARTICLE 4.

The limits of the territories of Maharajah Golab Sing shall not be at any time changed without the concurrence of the British Government.

## ARTICLE 5.

Maharajah Golab Sing will refer to the arbitration of the British Government any disputes or questions that may arise between himself and the Government of Lahore or any other neighbouring State, and will abide by the decision of the British Government.

## ARTICLE 6.

Maharajah Golab Sing engages for himself and heirs to join, with the whole of his Military Force, the British troops, when employed within the hills, or in the territories adjoining his possessions.

## ARTICLE 7.

Maharajah Golab Sing engages never to take or retain in his service, any British subject, nor the subject of any European or American State, without the consent of the British Government.

## ARTICLE 8.

Maharajah Golab Sing engages to respect, in regard to the territory transferred to him, the provisions of Articles V, VI, and VII, of the separate Engagement between the British Government and the Lahore Durbar, dated March 11th, 1846.

## ARTICLE 9.

The British Government will give its aid to Maharajah Golab Sing in protecting his territories from external enemies.

## ARTICLE 10.

Maharajah Golab Sing acknowledges the supremacy of the British Government, and will in token of such supremacy present annually to the British Government one horse, twelve perfect shawl goats \*of approved breed (six male and six female), and three pairs of Cashmere shawls.

This Treaty, consisting of ten articles, has been this day settled by Frederick Currie, Esquire, and Brevet-Major Henry Montgomery Lawrence, acting under the directions of the Right Honorable Sir Henry Hardinge, G.C.B., Governor-General, on the part of the British Government, and by Maharajah Golab Sing in person; and the said Treaty has been this day ratified by the seal of the Right Honorable Sir Henry Hardinge, G.C.B., Governor-General.

\*On the 13th March 1884 it was arranged by mutual consent that in future the Maharajah should present, instead of 12 goats, 10 lbs. of pashm in its natural state as brought to Kashmir from Leh, 4 lbs. of picked and assorted black wool, 4 lbs. ditto ditto grey wool, 4 lbs. ditto ditto white wool, and 1 lb. of each of the three best qualities of white yarn.



*Done at Umritsur, the sixteenth day of March, in the year of our Lord one thousand eight hundred and forty-six, corresponding with the seventeenth day of Rubbee-ool-awul 1262 Hijree.*

(Sd.) H. HARDINGE.

Seal.

(Sd.) F. CURRIE.

( „ ) H. M. LAWRENCE.

By order of the Right Honorable the Governor-General of India.

(Sd.) F. CURRIE,

*Secretary to the Government of India,  
with the Governor-General.*

## No. CXXXII.

### AGREEMENT between the LAHORE and KASHMIR DARBARS,— 1847.

Agreement concluded between the Governments of Lahore and Jammu by Dewan Dina Nath and Rai Kishen Chand on the part of Maharaja Duleep Singh, and Dewan Jowala Sahai and Kazi Mohkum-ud-din on that of Maharaja Golab Singh, in the presence of Lieutenant-Colonel Lawrence, Agent, Governor-General, North-Western Frontier, and Resident at Lahore, and subject to the approval of the Governor-General of India, regarding the exchange of the districts of Hazara, Pukli, Kahuta, etc., west of the River Jhelum for lands east of that river in the direction of Jammu.

We, the undersigned, consent and agree that Captain J. Abbott, the Boundary Commissioner, having examined the revenue records of the country west of the Jhelum, shall, after deducting jagirs and rent-free lands, fix the yearly rent, after which lands producing half that rent shall be made over to Jammu from the Lahore territory. Captain Abbott shall then lay down a well-defined boundary so as to prevent all future dispute, *viz.*, on the west of the Jhelum river to the border of Mozufferabad, whence it is to follow the Kurnaha river until such place as Captain Abbott can determine, a distinct and well-marked line across to the river Indus. This done, the mutual exchange of territory shall be effected, after which it will behove both parties to adhere for ever to the terms now settled, but should difference arise, they are to be referred to the Agent, Governor-General, North-Western Frontier.

This agreement is signed in the presence of Lieutenant-Colonel Lawrence, Agent, Governor-General, and is subject to the confirmation of the Governor-General of India. A copy of this agreement to be made over to each Darbar, and one to be lodged in the Agency Office.

(Sd.) DEWAN JOWALA SAHAI.

" DEWAN DINA NATH.

" KAZI MAHKUM-UD-DIN.

" RAI KISHEN CHAND.

(True translation.)

(Sd.) H. M. LAWRENCE,  
*Agent, Governor-General,  
and Resident at Lahore.*

### No. CXXXIII.

ADOPTION SUNNUD to MAHARAJAH RUNBEER SING BAHADUR, KNIGHT of the MOST EXALTED ORDER of the STAR of INDIA, CASHMERE,—1862.

Her Majesty being desirous that the Governments of the several Princes and Chiefs of India, who now govern their own territories, should be perpetuated, and that the representation and dignity of their Houses should be continued, I hereby, in fulfilment of this desire, repeat to you the assurance which I communicated to you in the Sealkote Durbar, in March 1860, that, on failure of natural heirs, the adoption of an heir into your Highness' House, according to its usage and traditions, will be willingly recognized and confirmed by the British Government.

Be assured that nothing shall disturb the engagement thus made to you, so long as your House is loyal to the Crown and faithful to the conditions of the Treaties, Grants, or Engagements which record its obligations to the British Government.

(Sd.) CANNING.

*Dated 5th March 1862.*

### No. CXXXIV.

TRANSLATION of the SANAD by HIS HIGHNESS THE MAHARAJA COLONEL SIR PRATAP SINGH, G.C.S.I., INDAR MAHINDAR BAHADUR, SEPAR-I-SULTANAT, MAHARAJA of JAMMU and KASHMIR and its dependencies.

Whereas in the awards of Sir Frederick Currie, Baronet, Agent to the Governor-General, dated 12th May 1848, and of the Board of Administration,



Punjab, dated 13th August 1852, the tract of country known as the Punach Ilaqa was granted by the late Maharaja Gulab Singh to the late Raja Motisingh, son of the late Raja Dhiansingh, and whereas in consequence of the demise of the late Raja Motisingh, I have confirmed your succession to the aforesaid Ilaqa with the title of Raja, you are hereby requested to conform to the rules framed for your guidance and be faithful and loyal to the Jammu and Kashmir State and to the British Government; your following in the footsteps of your father with allegiance and loyalty shall be conducive to your well being.

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No. CXXXV.

DASTUR-UL-AMAL FRAMED BY HIS HIGHNESS MAHARAJA COLONEL SIR PRATAP SINGH, G.C.S.I., INDAR MAHINDAR BAHADUR, SEPAR-I-SULTANAT, MAHARAJA of JAMMU and KASHMIR and its dependencies, to RAJA BULDEO SINGH in accordance with the Sanad dated the 13th Chait S. 1949.

(I) An annual tribute of Rs. 233-5-4, *vis.*, the amount fixed in Sir Frederick Currie's Robkar, dated 12th May 1848, can be claimed by His Highness the Maharaja Sahib Bahadur.

(II) There shall be reciprocity of action as regards the extradition of offenders between the parent State and your jagir.

(III) You shall not pass sentence in heinous offences involving capital punishment or imprisonment for life without the previous sanction of and confirmation by the parent State.

(IV) You shall on no account engage or appoint any British subject drawing upwards of Rs. 40 per mensem without the permission of the parent State previously obtained in writing, and you shall not countenance the residence or entertain the services of persons proscribed by the Jammu and Kashmir State.

(V) You shall have no power to confiscate old jagirs or mafis, or interfere with the existing rights and privileges and usages of all jagirs, etc., held under sanads of a date anterior to the grant of Poonch Ilaqa to Raja Moti Singh, and though the parent State does not restrict your power to grant new jagirs or mafis, but any such grants made by you shall not be deemed to have been recognized by it.

(VI) You shall introduce an efficient system for the administration of your Ilaqa, and as laid down in Sir Frederick Currie's Robkar, abide by the advice of His Highness the Maharaja in all important cases.

## No. CXXXV.

*Statement of fixed annual allowances to be granted in perpetuity for the maintenance of the Hill Rajas and their descendants as agreed on by Dewan Jowala Sahai, the Minister of Maharaja Golab Singh, and which have been paid as follows from the British Treasury and placed to the account of the said Maharaja:—*

No.	Name of the pensioner.	Date and year from which the allowance will commence.	Amount of stipend fixed by Dewan Jowala Sahai.	Amount of stipend of those individuals who have agreed to reside on the British frontier and draw their allowance.	Amount of stipend of those persons who have voluntarily agreed to reside in the territory of Maharaja Golab Singh.	Name of the station, place of residence on the British frontier.	Name of the treasury from which they are allowed to draw their stipend.	Date from which the stipend was fixed to the date up to which paid.	Number of years, months, and days.	Amount of their allowance.	REMARKS.
1	2	3	4	5	6	7	8	9	10	11	12
1	The heirs of Raja Rahim-ulla Khan, Raja of Rihluin, and their family.	22nd October 1846, corresponding with Kattik Sumbat 1903.	Rs. 16,000	Rs. 16,000	Rs. ...	Rihluin Kangra.	Kangra	From 22nd October 1846 to the end of July 1847.	Y. M. D. 0 9 10	Rs. A. P. 12,430 1 9	The mode in which this pension will be divided to be fixed by the Commissioner of the Trans-Sutlej States in concurrence with the present pensioners, and to be recorded.
2	Raja Bhori Singh, Junotawalla, together with the Miyans.	16th March 1846, corresponding with 5th Chhayt Sumbat 1903.	17,000	3,300	13,700	Nurpore in Kangra.	Ditto.	From 16th March 1846 to the end of June 1847.	1 3 16	4,066 3 5	The Rs. 3,300 to be paid from the British treasury, to be divided as follows:— Per annum, Miyans Shumshere Rs. 3,000 Singh 300 Miyans 600 Singh 600 Miyans 300 Singh 300 Singh 300 Singh 300 Total 3,300



Statement of fixed annual allowances to be granted in perpetuity for the maintenance, etc., etc.—concl'd.

No.	Name of the pensioner.	Date and year from which the allowance will commence.	Amount of stipend fixed by Dewan Jowla Singh.	Amount of stipend of those individuals who have agreed to reside on the British frontier and draw their allowance.	Amount of stipend of those persons who have voluntarily agreed to reside in the territory of Maharaja Golar Singh.	Name of the station, place of residence on the British frontier.	Name of the treasury from which they are allowed to draw their stipend.	Date from which the stipend was fixed to the date up to which paid.	Number of years, months, and days.	Amount of their allowance.	REMARKS.
1	2	3	4	5	6	7	8	9	10	11	12
3	Rao Upurub Singh, Munkote-walla.	16th March 1846, corresponding with 5th Ch ey t, Sumbat 1903.	Rs. 1,500	Rs. 1,500	Rs. ...	Nurpore	Kangra	From 16th March 1846 to the end of June 1847.	Y. M. D. 1 3 16	Rs. A. P. 1,939 8 3	One individual.
4	Ramchunder Hurdeo, Ram Naggurea.	Ditto.	3,000	3,000	...	Shahzadpore	Umballa.	From 16th March 1846 to the end of February 1847.	0 11 16	2,875 0 0	Ditto.
5	Raja Kullian Pal, Bussoliwallah.	Ditto.	5,000	...	5,000	...	...	...	...	...	...
6	Raja Uttar Singh, Bhudwalah.	11th April 1846, corresponding with 1st B y s a k Sumbat 1903.	5,000	5,000	...	Nurpore	Kangra	From 11th April 1846 to the end of June 1847.	1 2 20	6,111 1 5	One individual.

7	Miyans Zorawar Singh, Jy- mul Singh, and Dilawar Singh, of Kishtawar.	16th March 1846, cor- responding with 5th Chhayt, Sumbat 1904.	1,380 1,380 240	3,000	...	Miyans Zorawar Singh at Simla, Jy mul Singh at Delhi, and Dilawar Singh at Kangra.	Simla Treasury, Delhi Treasury, Kangra Treasury.	From 16th March 1846 to end of April 1847, and Dilawar Singh to end of July 1847.	1 2 16 Dilawar Singh. 0 3 0	3,375 0 0	In the following shares :—  Rs. Zorawar Singh . 1,480 Jy mul Singh . 1,480 Dilawar Singh . 240 — Total . 3,000
8	Hashim Ali Khan, Nar- walla.	13th Novem- ber 1846.	1,000	1,000	...	Kusab Guzerat, Ilaka Pun- jab.	Treasury Lahore.	From 13th November 1846 to end of June 1847.	0 7 18	633 5 4	One individual to enjoy this pension.
9	Rafaytul- lah Khan, Bhimbur- wallah.	15th Octo- ber 1846, correspond- ing with 1st Katik Sumbat 1903.	10,000	10,000	...	Shahdara, Ilaka Pun- jab.	Ditto.	From 15th October 1846 to end of June 1847.	0 8 17	7,123 10 5	Ditto.
10	Dewan Shere Baz Khan.	Two rabi crops, Sumbat 1904.	1,700 Jagir.	...	1,700 Jagir.	...	...	...	...	...	Rs. 500 were paid from the Lahore Treasury and will be refunded by the Jammu authori- ties.
		TOTAL	62,500	42,800	20,400	..	...	...	...	38,813 14 7	

H. M. LAWRENCE,  
*Agent and Resident.*

LAHORE RESIDENCY :  
*The 13th August 1847.*



## No. CXXXVI.

TREATY between the BRITISH GOVERNMENT and HIS HIGHNESS MAHARAJA RUNBEER SINGH, G.C.S.I., MAHARAJA of JUMMOO and CASHMERE, his heirs and successors, executed on the one part by THOMAS DOUGLAS FORSYTH, C.B., in virtue of the full powers vested in him by HIS EXCELLENCY the RIGHT HON'BLE RICHARD SOUTHWELL BOURKE, EARL of MAYO, VISCOUNT MAYO of MONYCROWER, BARON NAAS of NAAS, K.P., G.M.S.I., P.C., etc., etc., etc., VICEROY and GOVERNOR-GENERAL of INDIA, and on the other part by HIS HIGHNESS MAHARAJA RUNBEER SINGH aforesaid, in person,—1870.

Whereas, in the interest of the high contracting parties and their respective subjects, it is deemed desirable to afford greater facilities than at present exist for the development and security of trade with Eastern Turkestan, the following Articles have, with this object, been agreed upon:—

## ARTICLE 1.

With the consent of the Maharaja, officers of the British Government will be appointed to survey the trade routes through the Maharaja's territories from the British frontier of Lahoul to the territories of the Ruler of Yarkund, including the route *via* the Chang Chemoo Valley. The Maharaja will depute an officer of his Government to accompany the Surveyors, and will render them all the assistance in his power. A map of the routes surveyed will be made, an attested copy of which will be given to the Maharaja.

## ARTICLE 2.

Whichever route towards the Chang Chemoo Valley shall, after examination and survey as above, be declared by the British Government to be the best suited for the development of trade with Eastern Turkestan, shall be declared by the Maharaja to be a free highway in perpetuity and at all times for all travellers and traders.

## ARTICLE 3.

For the supervision and maintenance of the road in its entire length through the Maharaja's territories, the regulation of traffic on the free highway described in Article 2, the enforcement of regulations that may be hereafter agreed upon, and the settlement of disputes between carriers, traders, travellers, or others using that road, in which either of the parties or both of them are subjects of the British Government or of any foreign State, two

Commissioners shall be annually appointed, one by the British Government, and the other by the Maharaja. In the discharge of their duties and as regards the period of their residence the Commissioners shall be guided by such rules as are now separately framed and may, from time to time, hereafter be laid down by the joint authority of the British Government and the Maharaja.

#### ARTICLE 4.

The jurisdiction of the Commissioners shall be defined by a line on each side of the road at a maximum width of two Statute koss, except where it may be deemed by the Commissioners necessary to include a wider extent for grazing grounds. Within this maximum width the Surveyors appointed under Article 1 shall demarcate and map the limits of jurisdiction which may be decided on by the Commissioners as most suitable, including grazing grounds; and the jurisdiction of the Commissioners shall not extend beyond the limits so demarcated. The land included within these limits shall remain in the Maharaja's independent possession; and, subject to the stipulations contained in this Treaty, the Maharaja shall continue to possess the same rights of full sovereignty therein as in any other part of his territories, which rights shall not be interfered with in any way by the Joint Commissioners.

#### ARTICLE 5.

The Maharaja agrees to give all possible assistance in enforcing the decisions of the Commissioners and in preventing the breach or evasion of the regulations established under Article 3.

#### ARTICLE 6.

The Maharaja agrees that any person, whether a subject of the British Government, or of the Maharaja, or of the Ruler of Yarkund, or of any foreign State, may settle at any place within the jurisdiction of the two Commissioners, and may provide, keep, maintain, and let for hire at different stages the means of carriage and transport for the purposes of trade.

#### ARTICLE 7.

The two Commissioners shall be empowered to establish supply depôts and to authorize other persons to establish supply depôts at such places on the road as may appear to them suitable; to fix the rates at which provisions shall be sold to traders, carriers, settlers and others; to fix the rent to be charged for the use of any rest-houses or serais that may be established on the road. The officers of the British Government in Kullu, etc., and the officers of the Maharaja in Ladak, shall be instructed to use their best endeavours to supply provisions on the indent of the Commissioners at market rates.

#### ARTICLE 8.

The Maharaja agrees to levy no transit duty whatever on the aforesaid free highway; and the Maharaja further agrees to abolish all transit duties



levied within his territories on goods transmitted in bond through His Highness' territories from Eastern Turkestan to India, and *vice versa*, on which bulk may not be broken within the territories of His Highness. On goods imported into, or exported from, His Highness' territory, whether by the aforesaid free highway or any other route, the Maharaja may levy such import or export duties as he may think fit.

#### ARTICLE 9.

The British Government agree to levy no duty on goods transmitted in bond through British India to Eastern Turkestan, or to the territories of His Highness the Maharaja. The British Government further agree to abolish the export duties now levied on shawls and other textile fabrics manufactured in the territories of the Maharaja, and exported to countries beyond the limits of British India.

#### ARTICLE 10.

This Treaty, consisting of 10 Articles, has this day been concluded by Thomas Douglas Forsyth, C.B., in virtue of the full powers vested in him by His Excellency the Right Hon'ble Richard Southwell Bourke, Earl of Mayo, Viscount Mayo, Monycrower, Baron Naas of Naas, K.P., G.M.S.I., P.C., etc., etc., Viceroy and Governor-General of India on the part of the British Government, and by Maharaja Runbeer Singh aforesaid; and it is agreed that a copy of this Treaty, duly ratified by His Excellency the Viceroy and Governor-General of India, shall be delivered to the Maharaja on or before the 7th September 1870.

Signed, sealed, and exchanged at Sealkote on the second day of April in the year of our Lord one thousand eight hundred and seventy, corresponding with the 22nd day of Bysack, Sumbut 1927.

Signature of the Maharaja of Cashmere.

(Sd.) T. D. FORSYTH.

(„) MAYO.

This treaty was ratified by His Excellency the Viceroy and Governor-General of India at Sealkote on the 2nd day of May 1870.

(Sd.) C. U. AITCHISON,

*Officiating Secretary to the Government of India,  
Foreign Department.*

#### NO. CXXXVII.

**RULES regulating the powers of the BRITISH OFFICER at SRINUGGUR,—1872.**

1.—The British officer for the time being on duty at Srinuggur shall represent the British Government in Cashmere, and for the maintenance of good order the following powers and duties are respectively conferred and imposed upon him:—

(a) He may direct any European British subject who is travelling or residing in Cashmere, and who is guilty of any gross misconduct, to leave Cashmere forthwith, and may punish any person knowing of such direction and disobeying the same with rigorous or simple imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

(b) He shall receive, try, and determine in his Court (which shall be called "The Court of the British Officer in Cashmere") all suits of a civil nature between European British subjects, or between European British subjects and their servants, provided—

(1) that the right to sue has arisen, or the defendant at the time of the commencement of the suit dwells, or carries on business, or personally works for gain, within Cashmere ;

(2) that the suit is not of the same nature as those suits of which the cognizance by the ordinary Civil Court of British India is barred by law.

(c) He shall have the powers of a Magistrate of the first class as described in Section 20 of the Code of Criminal Procedure (Act X of 1872) for the trial of offences committed by European British subjects or by Native British subjects, being servants of European British subjects.

Provided that in the case of any offender being a European British subject, he shall only have power to pass a sentence of imprisonment for a term not exceeding three months, or fine not exceeding one thousand rupees, or both ; and when the offence complained of is under the Indian Penal Code punishable with death, or with transportation for life, or when it cannot, in the opinion of such officer, be adequately punished by him, he shall (if he thinks that the accused person ought to be committed) commit him to the Chief Court of the Punjab.

2.—Fines shall be recovered in manner provided by section 307 of the Code of Criminal Procedure (Act X of 1872).

3.—Sentences of whipping shall be carried into execution in manner provided by Sections 310, 311, 312 and 313 of the same Code.

4.—Persons sentenced to imprisonment shall be transferred to, and confined in, the Sealkote or Rawul Pindee Jail.

5.—The procedure in all civil suits between European British subjects, or European British subjects and their servants, shall be regulated by the Code of Civil Procedure. The procedure in all criminal prosecutions shall be regulated by the Code of Criminal Procedure.

6.—The said officer shall make rules to regulate the service and execution of processes issuing from his Court, and shall fix the fees to be charged to suitors for serving such processes.

7.—All questions of law, or fact, or both, arising in cases before the said officer, shall be dealt with and determined according to the law administered in the Courts of the Punjab.



8.—The said officer shall keep such registers, books, and accounts, and submit to the Lieutenant-Governor of the Punjab such statements of the work done in exercise of the aforesaid powers, as may, from time to time, be prescribed by the said Lieutenant-Governor. He shall also comply with such requisitions for records as the said Lieutenant-Governor may, from time to time, make upon him.

9.—Duties and fees of the same amount respectively as the Stamp duties and Court-fees prescribed by Act XVIII of 1869 and Act VII of 1870, shall be enforced by the said officer.

10.—There shall be no appeal against any order, judgment, or decree passed by the said officer in a civil suit. But if, in the trial of any such suit, any question of law or as to the construction of a document (which construction may affect the merits of the decision) shall arise, he may draw up a statement of the case, and refer it for the decision of the Chief Court of the Punjab; and he shall, on receipt of a copy of such decision, dispose of the case conformably thereto.

And any person convicted on a trial held by such officer may appeal to the Commissioner of the Rawul Pindee Division; and if such person be an European British subject, he may appeal either to the said Commissioner or to the Chief Court of the Punjab.

11.—The appellant shall in every case give notice of the appeal to the said British officer in Cashmere, who shall, if necessary, instruct the officer empowered to prosecute the case.

#### *The Mixed Court.*

12.—Civil suits between European British subjects or their servants not being subjects of the Maharaja on the one side, and subjects of His Highness the Maharaja of Cashmere on the other side, shall be decided by a Mixed Court composed of the said British officer and the Civil Judge of Srinuggur, or other officer especially appointed in this behalf by the Maharaja of Cashmere.

13.—When the said British officer and the said Civil Judge or other officer are unable to come to a final decision in any such suit, they shall reduce their difference into writing and refer it to a single arbitrator to be named by them.

14.—The arbitrator so nominated shall proceed to try the case, and his decision shall be final.

15.—And in every case of a reference under these Rules—

(a) the arbitrator shall be at liberty to proceed *ex parte* in case either party, after reasonable notice, neglects or refuses, without good and sufficient cause, to attend on the reference;

(b) the arbitrator shall have power to summon witnesses in cases referred to him;

(c) and the parties respectively shall produce before the arbitrator all books and documents within their possession or control, which the arbitrator may call for as relating to the matters referred;

(d) and the parties and their representatives in interest shall abide by and perform the award.

### No. CXXXVIII.

AGREEMENT ENTERED into between the BRITISH GOVERNMENT and the CASHMERE STATE in regard to the CONSTRUCTION of TELEGRAPH LINES from JUMMOO to SRINUGGUR and from SRINUGGUR TO GILGIT,—1878.

Whereas His Highness the Maharaja of Cashmere is desirous of obtaining the assistance of the British Government towards the construction of lines of telegraph from Jummoo to Srinuggur and from Srinuggur to Gilgit, the following terms are agreed upon by Major Philip Durham Henderson, C.S.I., Officer on special duty in Cashmere, on the part of the British Government, duly empowered by the Viceroy and Governor-General in Council on that behalf, and by Baboo Nilumber Mookerjee, M.A., B.L., Judge of the Sadr Adalat of Cashmere, duly empowered by His Highness the Maharaja on that behalf:

1. The British Government agrees to construct for the Cashmere State two lines of telegraph, each consisting of one wire, to be carried on such suitable supports as are procurable in the vicinity, the one to be erected between Jummoo and Srinuggur at a cost of Rs. 21,600 more or less, and the other between Srinuggur and Gilgit at a cost of Rs. 31,900 more or less, provided in each case the following conditions are observed:—

(a) That the transport of all telegraph materials from Sealkote to the Cashmere frontier and within the limits of the Cashmere State shall be directly arranged and paid for by some duly authorized officer of the Cashmere State.

(b) That all laborers, whom the officer in charge of the construction of the line shall require to employ, shall be engaged and paid by a duly authorized officer of the Cashmere State.

(c) That on due notice being given by the officer in charge of the construction of the line, the Cashmere Government shall, to the utmost of its power, comply with requisitions for transport or labor.

(d) That sound seasoned deodar posts, wherever these are procurable, suitable for telegraph supports, shall be provided by the Cashmere State and distributed along the route to be taken by the telegraph lines, in such manner as the officer in charge of the work may direct.

(e) That no brackets or insulators be used in the construction of the lines, as their cost has not been provided in the estimated amounts stated above.

2. The British Government guarantees that all telegraph materials, including the wire supplied by it, shall be of the best quality used for its own lines, and that the lines shall be handed over to the Cashmere Government in full working order.



3. His Highness the Maharaja agrees to pay to the British Government, as the money may be required, the actual cost incurred by it in the construction and establishment of the lines, such cost being inclusive of—

(1) The salaries and allowances of all members of the Indian Telegraph establishment for the whole period they may be detained on duty in Cashmere ; and

(2) The cost of insulating the line, or of any other changes in the original scheme that may be made hereafter with the concurrence, or at the request of, the Cashmere State.

4. The salaries and allowances of all members of the Indian Telegraph establishment will be paid to them by the Government of India through the Officer on special duty, and the amounts of such payments will be recovered subsequently from the Cashmere State.

5. On the application in writing of the Cashmere State, the Telegraph Department will supply at cost price all telegraph instruments and material required from time to time for the maintenance and working of the telegraph lines and offices about to be established.

6. On the application in writing of the Cashmere State, the Telegraph Department will afford such advice and instruction as may be required and desired by the Cashmere State for the maintenance and working of such telegraph lines and offices.

7. On the application in writing of the Cashmere State, the Telegraph Department will lend the services of any Native signallers, who may volunteer for the duty, and whose services can be spared, for such specified periods as may be sufficient to enable the Cashmere State to train its own signallers.

8. The foregoing provisions are accepted by the British Government as a mark of friendship and good-will towards His Highness the Maharaja ; but it is to be understood that after the lines are delivered over to the Cashmere Government, no responsibility whatever attaches to the British Government, in respect of their subsequent maintenance and working.

(Sd.) P. D. HENDERSON, *Major,*  
*Officer on special duty in Cashmere.*

( „ ) NILUMBER MOOKERJEE,  
*Judge of the Sadr Adalat of Cashmere.*

*The 9th March 1878.*

#### No. CXXXIX.

AGREEMENT between the GOVERNMENT of INDIA and HIS HIGHNESS MAHARAJA PARTAB SINGH, INDAR MAHINDAR BAHADUR, SIPAR-I-SALTANAT, MAHARAJA of JAMMU and KASHMIR, relative to the CONSTRUCTION of a RAILWAY to JAMMU,—1888.

1. The line shall be called the " Jammu and Kashmir State Railway."

2. An estimate of the entire cost of constructing the line on the 5 feet 6 inch gauge from Sialkot to the left bank of the Tawi river at Jammu shall be submitted to the Kashmir Darbar for sanction.

3. The whole line shall be constructed by the Darbar through its Chief Engineer, Major-General deBourbel, according to the standard dimensions prescribed by the Government of India, and shall be completed with the utmost possible despatch.

4. All the capital required for the construction of the whole line shall be provided by the Darbar.

The Darbar shall receive from the Government of India interest at the rate of 4 per cent. per annum on the capital expenditure on the section of the line which lies within British territory, from the date of payment.

5. All moneys needed for additional works found necessary on the British section of the railway after first construction is completed, will be found by the Government of India, and on similar work on the Kashmir section by the Darbar.

6. The section of the line in Jammu territory shall be leased to, and worked by, the North-Western Railway for a period of five years from the date of opening to traffic. During this period the North-Western Railway shall maintain the line in an efficient state, and shall pay to the Darbar 1 per cent. per annum on the capital expenditure on the Jammu section. The surplus net earnings on this section, in excess of the said payment of 1 per cent., during the period of five years, shall be divided equally between the North-Western Railway and the Kashmir Darbar. In calculating net earnings, the rate of working expenses shall be taken at the average percentage of working expenses to gross earnings on the Punjab section of the North-Western Railway, including the Jammu and Kashmir State Railway, for the same period, *plus* 5 per cent. per annum on gross earnings for the use of rolling stock.

7. Subject to the payment of 4 per cent. interest provided in Clause 4, the portion of the line in British territory shall remain the absolute property of the Government of India, and the earnings of it shall belong solely to that Government. The Government of India shall have the right at any time, after giving six months' notice, to repay to the Darbar the capital expenditure advanced by it in respect of this section of the line, and the payment of interest shall thereupon cease.

8. The Government of India and the Darbar shall provide, at their respective charges and free of cost, to the North-Western Railway, the land required for railway purposes in their respective territories.

9. After the expiry of the said period of five years, a fresh arrangement shall be made for working the line upon terms to be agreed upon between the Government of India and the Darbar.

10. The fares charged to passengers, the rates for goods, and the rates for railway materials, whether used in construction, maintenance, or working



of the line, shall be such as are in general use on the Punjab section of the North-Western Railway. The line shall be worked in accordance with the general rules and regulations in force on Indian State Railways.

11. The permanent-way, station machinery and other fittings shall be of the types used on Indian State Railways, and shall be obtained at the cost of the Darbar through the Government of India.

12. Half-yearly *pro forma* accounts, showing the entire earnings of traffic and the working expenses, calculated as explained in Clause 6 of this Agreement, incurred upon the Jammu and Kashmir State Railway, shall be supplied regularly by the North-Western Railway to the Darbar.

13. His Highness the Maharaja of Jammu and Kashmir accompanied by his suite and servants with their luggage, shall, when travelling by ordinary train upon this railway, have the privilege of travelling free of any charge between Jammu and Sialkot; suitable vehicles being reserved on each occasion for the exclusive use of the Maharaja and his party.

14. His Highness the Maharaja shall also have the privilege of running free of any charge between Jammu and Sialkot two special return trains every year, consisting each of not more than eighteen railway vehicles of such description as may be required.

15. Each of the ordinary daily trains shall have one carriage attached to it for the exclusive use of the State officials, each of the number of occupants paying a single fare. This carriage shall ordinarily be of the intermediate class, but shall be changed to one of another class upon the requisition of the Darbar.

16. The site of the terminal station at the Jammu end of the line shall be fixed by the Darbar.

17. His Highness the Maharaja of Jammu and Kashmir shall grant to the British Government full jurisdiction within those portions of land situated in His Highness' territories which may be occupied from time to time by the Jammu and Kashmir State Railway or its premises. This cession of jurisdiction is restricted absolutely to railway limits, and to cases occurring within those limits, and does not confer any right of interference in the internal administration of His Highness' territory. Accordingly, the railway police shall forthwith surrender to the Darbar any accused person who, having escaped from the custody of His Highness' police, is in their custody, within railway limits.

18. All the plants and trees along and within the whole line lying in the territory of His Highness the Maharaja shall also be considered the property of the Darbar.

Dated at Srinagar this fourth day of July 1888, corresponding with twenty-third day of Har Samvat 1945.

(Sd.) T. CHICHELE PLOWDEN,  
Resident in Kashmir.

(Sd.) In Vernacular.

Seal.

This agreement was approved and confirmed by His Excellency the Viceroy and Governor-General in Council.

FOREIGN DEPARTMENT,  
SIMLA,  
*The 14th July 1888.*

} (Sd.) H. M. DURAND,  
*Secretary to the Government of India.*

### No. CXL.

#### SUPPLEMENTARY AGREEMENT between the GOVERNMENT OF INDIA and the STATE COUNCIL of JAMMU and KASHMIR relative to the FUNDS required for the CONSTRUCTION of the BRITISH SECTION of the JAMMU and KASHMIR STATE RAILWAY,—1890.

Whereas on the 14th July 1888, an agreement was concluded between the Government of India and His Highness the Maharaja of Jammu and Kashmir according to which it was settled, among other points, that all the capital required for the construction of the whole line of Railway between Sialkot and Jammu should be provided by the Darbar, and that the Darbar should receive from the Government of India interest at the rate of 4 per cent. per annum on the capital expenditure on the section of the line which lies within British territory; and whereas the Government of India has since undertaken to pay from Imperial Funds the amount required for the construction of the British section, the Government of India and the Kashmir State Council do hereby make and enter into a supplementary agreement as follows:—

The capital required for the construction of the British section of the Jammu and Kashmir State Railway shall be provided by the Government of India, instead of being advanced as a loan by the Kashmir Darbar.

2. So much of Clauses 4 and 7 of the agreement of the 4th July 1888 as relates to the following matters, namely—

- (a) the provision by the Darbar of the capital required for the construction of the section of the Jammu and Kashmir State Railway lying within British territory;
- (b) the payment to the Darbar of interest on the capital which was to have been so provided; and



- (c) the repayment to the Darbar of such capital, is accordingly hereby cancelled.

Seal.

*Prime Minister and President,  
Jammu and Kashmir State Council.*

(Sd.) R. PARRY NISBET, *Colonel,  
Resident in Kashmir.*

*Dated 1st November 1890.*

Approved and confirmed by His Excellency the Viceroy and Governor-General in Council.

(Sd.) W. J. CUNINGHAM,  
*Offg. Secy. to the Govt. of India,  
Foreign Department.*

VICEROY'S CAMP, DELHI;

*The 18th November 1890.*

### NO. CXLI.

AGREEMENT between the BRITISH GOVERNMENT and the STATE COUNCIL of JAMMU and KASHMIR for the CONSTRUCTION, MAINTENANCE and WORKING of a LINE of TELEGRAPH between SUCHETGARH and JAMMU along the JAMMU and KASHMIR STATE RAILWAY,—1890.

Whereas the State of Jammu and Kashmir is desirous of having a line of telegraph constructed from Suchetgarh to Jammu Railway Station along the proposed railway from Sialkot to Jammu, the following terms are agreed upon by Colonel R. Parry Nisbet, C.I.E., Resident in Kashmir, on the part of the Government of India, duly empowered by the Viceroy and Governor-General of India in Council on that behalf, and by Raja Amar Singh, Prime Minister and President of the State Council, duly empowered by the State Council of Jammu and Kashmir on that behalf:—

1. The Government of India agrees to construct, for the State of Jammu and Kashmir, a line of telegraph consisting of three wires, to be

carried on suitable supports to be erected between Suchetgarh and the Jammu Railway Station at a cost of Rupees eleven thousand six hundred, more or less, and the State of Jammu and Kashmir agrees to pay to the Government of India the cost of the line as the money may be required.

The Government of India agrees to pay the State of Jammu and Kashmir for such portions of the wire on the existing road line between Suchetgarh and Jammu as are found suitable and are used for constructing the new telegraph line between Suchetgarh and the Jammu Railway Station along the proposed railway.

2. The line so constructed shall be called the Suchetgarh-Jammu Railway Telegraph line.

3. With the consent of the Governor-General in Council extra wires may at any time be added by the Telegraph Department on terms and conditions to be agreed upon at the time between the State of Jammu and Kashmir and the Government of India.

4. The Suchetgarh-Jammu Railway Telegraph line shall be kept in efficient repair by the officers of the Telegraph Department of the Government of India. The State Council of Jammu and Kashmir shall permit the said officers to remove such plants and trees as they consider interfere with or endanger the working of the telegraph line.

5. The instruments, batteries, and materials connected therewith in the Railway Telegraph offices shall be supplied, maintained, and technically supervised by the officers of the Telegraph Department of the Government of India.

6. The State of Jammu and Kashmir shall pay annually to the Government of India, to cover the cost of maintenance and depreciation, Rs. 13-8 per mile of wire which is used by the State of Jammu and Kashmir for purposes not connected with the railway, *i.e.*, for through traffic between the Telegraph Office of the State of Jammu and Kashmir and the Telegraph offices situated in British territory. All other charges of the Telegraph Department for the wires and Railway Telegraph offices along the railway from Suchetgarh to Jammu, including the Telegraph office in the terminal railway station at Jammu, shall be paid by the North-Western Railway as a part of the working expenses under Clause 6 of the agreement dated the 4th July 1888, between the Government of India and His Highness Maharaja Partab Singh, Indar Mahindar Bahadur, Sipar-i-Saltanat, Maharaja of Jammu and Kashmir, relative to the construction of a railway to Jammu.

7. The charges due by the State of Jammu and Kashmir shall be paid half-yearly through the Resident.

8. The State of Jammu and Kashmir agrees to the application, to those of the wires of the Suchetgarh-Jammu Railway Telegraph line which are used for railway purposes and to the Railway Telegraph offices, of the provisions of the British Telegraph Act, XIII of 1885, and such other Acts



or legal provisions as have been or may hereafter be passed by the British Government with reference to telegraphs.

9. The State of Jammu and Kashmir agrees to the application, to those of the wires of Suchetgarh-Jammu Railway Telegraph line which are used for railway purposes and to the Railway Telegraph offices, of any rules or regulations that are now or may hereafter be made applicable to lines of Telegraph in India.

10. The State of Jammu and Kashmir agrees that the Suchetgarh-Jammu Railway Telegraph line and the Railway Telegraph offices shall be open to the inspection and supervision of the Director-General of Telegraphs and of any officer deputed by him for that purpose.

11. The posts of the telegraph line under reference shall be erected within the limits of the rail-road.

12. This agreement is subject to the condition that notwithstanding anything hereinbefore contained, all State messages shall be sent free, and the income from all private messages despatched from any railway station between Suchetgarh and Jammu, where a Telegraph office may be opened, shall be credited to the State of Jammu and Kashmir as at present.

13. This agreement shall be in force for a period of five years from the date of the railway from Suchetgarh to Jammu opening for traffic; but so far as it relates to the State Telegraph line, it shall be optional with the State of Jammu and Kashmir at any time by giving six months' previous notice to sever its line from the railway lines and construct its own line independently, connecting it of course with the Government line on the boundary as at present. After the expiry of the said period of five years, a fresh arrangement shall be made for working those of the wires which are used for railway purposes and the Railway Telegraph offices upon terms to be agreed upon between the Government of India and the State of Jammu and Kashmir.

(Sd.) R. PARRY NISBET,  
*Resident in Kashmir.*

GULMARG;  
*The 3rd July 1890.* }



Seal of

RAJA AMAR SINGH,  
*Prime Minister and President,  
Jammu and Kashmir State Council.*

Approved and confirmed by His Excellency the Viceroy and Governor-General of India.

SIMLA;  
*The 23rd July 1890.* }

(Sd.) W. J. CUNINGHAM,  
*Offg. Secy. to the Govt. of India,  
Foreign Department.*

## No. CXLII.

## MEMORANDUM of AGREEMENT for the INTERCHANGE of MESSAGES between the IMPERIAL TELEGRAPH SYSTEM of the GOVERNMENT OF INDIA and the TELEGRAPH SYSTEM of the KASHMIR STATE,—1897.

(1) Telegrams tendered by the public for despatch at telegraph offices of the Kashmir System will be accepted and despatched under the rules for charges, acceptance and delivery of telegrams in force at the time on the British System, as laid down in the Indian Telegraph Guide whether for delivery by offices of the British or Kashmir State System.

(2) All telegrams originating in places where there are both British and Kashmir State Telegraph Offices addressed to places at which there is no Kashmir State Telegraph Office, shall be booked by the sender at the British Telegraph Office, and shall not be accepted if tendered at the Kashmir State office.

(3) Messages will be sent as far as practicable towards their destination, over the wires of the system by which booked.

(4) All foreign telegrams transferred by the Kashmir State Telegraph System to the British System shall be fully prepaid in cash at the time of transfer.

(5) His Highness the Maharaja of Kashmir and his brothers, Raja Sir Amar Singh, K.C.S.I., and Lieutenant-Colonel Raja Ram Singh, C.B., and they alone, shall have the right of sending messages as at present, free of charge, over the British Telegraph System, both in and out of Kashmir.

(6) The privilege now allowed to certain specified officials of the Kashmir State, *vide* list attached, to telegraph without charge on the service of the State over the British Telegraph lines within the limits of Kashmir to places where there is no Kashmir State office will be continued. Messages sent by State officials other than those above named must be paid for.

(7) Messages on the service of the British Telegraph and Postal Departments will be transmitted without charge to or from all Kashmir State Telegraph Offices.

(8) In case of necessity where communication by the wires of one system is interrupted, messages may be diverted to the wires of the other system until communication is restored.

(9) Subject to the foregoing special rules each administration will retain the fees it collects for messages, including deposits for reply and acknowledgment of receipt, and will forward messages booked by the other administration to destination free of all charges.

(10) Fees required for special delivery arrangements cannot be prepaid. Instructions for such special delivery should be given by the sender in his telegram and the recovery of the charges made from the receiver.



(11) The transfer of messages to and from the Kashmir State lines can be effected, subject to rule 3, at any place where there is a British as well as a Kashmir State Telegraph Office. The British Telegraph Department may, at its own expense, connect any of its own offices by wire with any Kashmir State Office, and every necessary facility shall be given by the Kashmir State for establishing and maintaining the connection and for the interchange of messages thereby.

(12) In order to secure secrecy messages transferred by hand should be despatched from British offices to Kashmir State offices and *vice versa* in closed covers. They should be accompanied by a separate receipt for each message, duly completed, to be signed by the officer in charge of the receiving telegraph office, and returned to transferring office.

(13) In case of deposits for replies or acknowledgment of delivery the sum prepaid must be shown on the message form in the place provided for official instructions.

(14) All complaints regarding telegrams received by one administration from the other for investigation shall be duly enquired into and steps taken to prevent a repetition of the cause. An official of the Kashmir State shall be appointed to correspond with the Superintendent, Telegraph Check Office, Calcutta, regarding complaints and all matters requiring settlement.

(15) This Agreement will be subject, if necessary, to revision after five years from date of coming into force.

List of Kashmir State officials who are authorised under paragraph 6 to send telegrams on the service of the State free of charge over the wires which are worked by the British Telegraph Department within the limits of Kashmir.

- |                                                |                                             |
|------------------------------------------------|---------------------------------------------|
| 1. Military Secretary to Kashmir Government.   | 14. Assistant Engineer, Kashmir.            |
| 2. Quartermaster-General, Kashmir Army.        | 15. Divisional " Jammu.                     |
| 3. Adjutant-General, Kashmir Army.             | 16. Chief Medical Officer, Kashmir.         |
| 4. General Officer Commanding.                 | 17. Superintendent of Police, Jammu.        |
| 5. " " " " Imperial Service Troops.            | 18. " " " Kashmir.                          |
| 6. General Officer Commanding Kashmir.         | 19. Meteorological Observer, Srinagar.      |
| 7. General Officer Commanding Gilgit.          | 20. Revenue Member of Council.              |
| 8. Conservator of Forests, Kashmir State.      | 21. Governor of Jammu.                      |
| 9. Residency Vakil.                            | 22. " " Kashmir.                            |
| 10. Officer in charge of European Quarters.    | 23. Accountant-General, Kashmir State.      |
| 11. Superintending Surgeon, Kashmir Hospitals. | 24. Settlement Commissioner, Kashmir State. |
| 12. Superintending Engineer, Kashmir State.    | 25. Wazir Wazarat, Leh.                     |
| 13. Assistant Engineer, Jhelum Valley Road.    | 26. " " " Gilgit.                           |
|                                                | 27. " " " Kamraj (Sopore).                  |
|                                                | 28. " " " Muzaffarabad.                     |
|                                                | 29. " " " Islamabad.                        |
|                                                | 30. " " " Udhampore.                        |
|                                                | 31. " " " Jammu.                            |
|                                                | 32. Tahsildar, Skardu.                      |
|                                                | 33. Judicial Member of Council.             |
|                                                | 34. Chief Judge, Jammu.                     |
|                                                | 35. " " " Srinagar.                         |

## No. CXLIII.

MEMORANDUM of AGREEMENT between the GOVERNMENT of INDIA and HIS HIGHNESS MAHARAJA PARTAB SINGH, INDAR MAHINDAR BAHADUR, SIPAR-I-SALTANAT, MAHARAJA OF JAMMU AND KASHMIR, relative to the CONSTRUCTION and WORKING of the JAMMU and KASHMIR STATE RAILWAY,—1906.

In supersession of the four agreements, dated 14th July 1888, 18th November 1890—1898, and 7th January 1905, the following terms and conditions are agreed upon between the Government of India and His Highness the Maharaja of Jammu and Kashmir as a complete agreement for the construction and working of the Jammu and Kashmir State Railway.

1. The line shall be called the "Jammu and Kashmir State Railway" and is to be on the 5 feet 6 inches gauge.
2. All the capital required for the construction of the line in Kashmir State territory shall be provided by the Darbar and that required for the construction of the British Section shall be provided by the Government of India.
3. All moneys needed for additional works found necessary on the British Section of the Railway after first construction is completed, will be found by the Government of India and on similar works on the Kashmir Section by the Darbar. All works will be executed by the North-Western Railway.
4. The Government of India and the Darbar shall provide, at their respective charges, and free of cost to the North-Western Railway, the land required for railway purposes in their respective territories.
5. The permanent-way, station machinery, and other fittings shall be of the types used on Indian State railways, and when chargeable to the Darbar, shall be obtained at the cost of the Darbar through the Government of India.
6. The railway referred to in the clauses following as the said railway is the Section of the Jammu and Kashmir State Railway which lies in Kashmir territory, and extends from mile 920½ near Suchetgarh to the left bank of the Tawi river at Jammu.
7. The said railway shall be worked and maintained in an efficient state by the North-Western Railway.
8. The North-Western Railway shall receive from the Kashmir Darbar for the working and maintenance of the said railway, a sum equal to 55·5 per cent. of the gross earning of the said railway. This charge will cover the hire of locomotives and rolling-stock necessary to work the traffic of the said railway. It will also cover the cost of such New Minor works as



are usually charged to revenue on the North-Western Railway, but this only up to a limit of Rupees 30 per mile per annum. The remaining 44·5 per cent. will be credited to the Darbar.

9. Besides the 44·5 per cent. of gross earnings, to be credited to the Kashmir Darbar under paragraph 8 above, a rebate payment on interchanged traffic will be made by the North-Western Railway to the extent necessary, together with the Kashmir Darbar's share of the net earnings of the Tawi-Suchetgarh Section to give the Darbar a total dividend of  $3\frac{1}{2}$  per cent. per annum on the actual expenditure to the end of the half-year concerned as entered in Rupees in the Capital account of the said railway: provided always that the payment so made by the North-Western Railway to the Darbar shall in no case exceed the net earnings of the North-Western Railway from traffic interchanged with the section.

10. The term "gross earnings" in clause 8 means and includes all receipts from the local bookings of coaching and goods traffic, a mileage proportion of traffic interchanged, all sums received as rents, and all other receipts except freight on Revenue Stores, usually treated as railway revenue. Gross earnings shall include telegraph earnings from private messages despatched from stations on the railway, Kashmir State telegrams being carried free as at present.

11. All moneys required for additional works on the said railway usually charged to Capital shall be found by the Kashmir Darbar, but no charge shall be made by the North-Western Railway for supervision of the construction of such Capital works except where special establishment is employed in which case the charge shall be limited to the actual cost of the extra establishment so employed.

12. The rates and fares charged on the said railway shall be such as are from time to time in force on the main line section of the North-Western Railway.

13. The said railway shall be worked in accordance with the General Rules for Indian State Railways and with the Subsidiary rules in force from time to time on the North-Western Railway.

14. Half-yearly accounts showing the entire earnings and the working expenses (calculated as explained in clauses 8 and 9 of this memorandum) of the said railway shall be supplied regularly by the North-Western Railway to the Darbar.

15. His Highness the Maharaja of Jammu and Kashmir, accompanied by his suite and servants with their luggage, shall, when travelling by ordinary train upon this railway, have the privilege of travelling free of any charge between Jammu and Sialkot; suitable vehicles being reserved on each occasion for the exclusive use of the Maharaja and his party.

16. His Highness the Maharaja shall also have the privilege of running free of any charge between Jammu and Sialkot two special return trains every year, consisting each of not more than 18 railway vehicles of such description as may be required.

17. Each of the ordinary daily trains on the said railway shall have one carriage attached to it for the exclusive use of the State officials, each of the

occupants paying a single fare. This carriage shall ordinarily be of the intermediate class, but shall be changed to one of another class upon the requisition of the Darbar.

18. His Highness the Maharaja of Jammu and Kashmir shall grant to the British Government full jurisdiction within those portions of land situated in His Highness' territories which may be occupied from time to time by the Jammu and Kashmir State Railway or its premises. This cession of jurisdiction is restricted absolutely to railway limits, and to cases occurring within those limits, and does not confer any right of interference in the internal administration of His Highness' territory. Accordingly the railway police shall forthwith surrender to the Darbar any accused person who, having escaped from the custody of His Highness' police, is in their custody within railway limits.

19. All the plants and trees along and within the whole line lying in the territory of His Highness the Maharaja shall be considered the property of the Darbar.

20. This agreement is for a period of five years, to have effect from the 1st January 1903, and will be terminable thereafter on six months' notice by either side.

(Sd.) AMAR SINGH, *General, Raja,*  
*Chief Minister to His Highness the*  
*Maharaja of Jammu and Kashmir State.*  
*Dated 23rd January 1906.*

T. C. PEARS,  
*Resident in Kashmir.*  
*Dated 1st February 1906.*

(Sd.) S. FINNEY,  
*Manager, North-Western Railway.*  
*Dated 22nd August 1906.*

#### NO. CXLIV.

MEMORANDUM of AGREEMENT entered into BETWEEN the BRITISH GOVERNMENT and HIS HIGHNESS MAJOR-GENERAL SIR PRATAP SINGH, G.C.S.I., MAHARAJA of the JAMMU and KASHMIR STATE, for the INTRODUCTION of MORE DEFINITE ARRANGEMENTS for the EFFECTIVE CONTROL and DISCIPLINE of the KASHMIR IMPERIAL SERVICE TROOPS when SERVING beyond the FRONTIER of the JAMMU and KASHMIR STATE,—1899.

Whereas His Highness Major-General Sir Pratap Singh, G.C.S.I., Maharaja of Jammu and Kashmir State, maintains a force of Imperial



Service Troops for the purpose of co-operating, if need be, in the defence of the British Empire, and

Whereas it is necessary that the Imperial Service Troops of the Jammu and Kashmir State, when associated with troops of the British Army, should be under the orders of the Officer Commanding the combined forces, and subject to the like discipline and control as the officers and soldiers of Her Majesty's Indian Army, and

Whereas it is not the wish or intention of the Government of India that a British officer should be appointed to command any corps of Imperial Service Troops, though British officers are employed in order to instruct and inspect the said troops,

It is hereby agreed between the Governor-General of India of the one part and His Highness Major-General Sir Pratap Singh, G.C.S.I., Maharaja of Jammu and Kashmir State, of the other, as follows, namely—

1. Whenever the said troops or any portion thereof are moved beyond the frontier of the said State, they shall be attached to the command and under the orders of the Officer Commanding the District, Contingent or force in which they are employed, and such officer shall, by virtue of this agreement, be authorised to administer in respect of the said troops, so serving, the military laws and regulations to which they are subject under the laws of the said State, and for that purpose and for the due preservation of discipline among the same, to convene all such Courts, and to issue all such orders, and to pass all such judgments and sentences, and generally to exercise all such authority as may be lawfully convened, issued, passed and exercised by the authorities of the Jammu and Kashmir State, when the said troops are serving within the territorial limits of the said State: Provided always that the execution of every sentence so passed in British territory shall be carried out under the orders of His Highness the Maharaja or of some person to whom the requisite authority has been delegated by him.

2. In order further to ensure the efficiency of the said Imperial Service Troops and the maintenance of discipline among them when serving along with Her Majesty's forces, the said Major-General Sir Pratap Singh, G.C.S.I., the Maharaja of Jammu and Kashmir State, has embodied in the disciplinary law of his State, applicable to the said Imperial Service Troops when employed on active service either within or without British India, the provisions, *mutatis mutandis*, of the Indian Articles of war for the time being in force. The due application and enforcement of the said provisions in respect of the Imperial Service Troops aforesaid shall be carried out

under the authority of the Officer Commanding the District, Contingent or force aforesaid.

*Dated the 12th September 1899.*



(Sd.) PRATAP SINGH,  
*Maharaja of Jammu  
and Kashmir.*  
(Sd.) A. C. TALBOT,  
*Resident in Kashmir.*

Approved and confirmed by the Government of India.

By Order,

SIMLA;  
*The 7th May 1901.*

}

H. S. BARNES,  
*Secretary to the Government of India,  
Foreign Department.*

### No. CXLV.

SANAD granted by HIS HIGHNESS the MAHARAJA of JAMMU and KASHMIR to RAJA JAFR KHAN of NAGAR.

Whereas the State of Nagar has recently been in armed rebellion against my authority, and whereas in consequence thereof, you, Raja Jafr Khan, have justly forfeited any rights which you may have possessed as ruler of the said State:

And whereas by reason of your submission, and in consideration of your promise to abide by the following conditions, it is thought desirable, as an act of clemency, to re-appoint you as ruler of the said State:

Now, therefore, I have resolved, with the approval and authority of the Governor-General of India in Council, to re-appoint you, Raja Jafr Khan, as ruler of the said State of Nagar, and you are hereby appointed to be Raja of Nagar.

The Chiefship of the Nagar State will be hereditary in your family, and will descend in the direct line by primogeniture, provided that in each case the succession is approved by the Maharaja of Jammu and Kashmir for the time being and by the Government of India.

An annual tribute of the following amounts, that is to say:—

Twenty-six tilloos of gold, equal to 17 tolas and 1 masha, will be paid by you and your successors to the State of Jammu and Kashmir.

Further, you are informed that the permanence of the grant conveyed by this sanad will depend upon the ready fulfilment by you and your successors of all orders given by the Jammu and Kashmir State, with regard to the conduct of relations between the State of Nagar and the States and



tribes adjoining it, the administration of your territory, the construction of roads through your country, the composition of such troops as you may be permitted to retain, and any other matters in which the Maharaja of Jammu and Kashmir for the time being may be pleased to intervene. Be assured that, so long as your house is loyal to the State of Jammu and Kashmir and to the British Government, and faithful to the conditions of this sanad, you and your successors will enjoy favour and protection.

### No. CXLVI.

SANAD granted by HIS HIGHNESS the MAHARAJA OF JAMMU and KASHMIR to RAJA MUHAMMAD NAZIM KHAN of HUNZA.

Whereas the State of Hunza has recently been in armed rebellion against my authority, and whereas in consequence thereof Raja Safdar Ali Khan has justly forfeited any rights which he may have possessed as ruler of the said State:

And whereas the said Safdar Ali Khan has fled from Hunza, and has not returned or made submission to me or to the Government of India, and whereas I nevertheless desire to continue the Chiefship of the said State of Hunza in the person of a member of the ruling family of the said State:

Now, therefore, I have, with the approval and authority of the Governor-General of India in Council, selected you, Muhummud Nazim Khan, to be ruler of the said State of Hunza.

The Chiefship of the Hunza State will be hereditary in your family, and will descend in the direct line by primogeniture, provided that in each case the succession is approved by the Maharaja of Jammu and Kashmir for the time being and by the Government of India.

An annual tribute of the following amounts, that it is to say, twenty-five tilloos of gold, equal to 16 tolas and 5 mashas, will be paid by you and your successors to the State of Jammu and Kashmir.

Further, you are informed that the permanence of the grant conveyed by this sanad will depend upon the ready fulfilment by you and your successors of all orders given by the Jammu and Kashmir State with regard to the conduct of relations between the State of Hunza and the States and tribes adjoining it, the administration of your territory, the prevention of raiding and man-stealing, the construction of roads through your country, the composition of such troops as you may be permitted to retain, and any other matters in which the Jammu and Kashmir State may be pleased to intervene. Be assured that so long as your house is loyal to the State of Jammu and Kashmir and to the British Government, and faithful to the conditions of this sanad, you and your successors will enjoy favour and protection.

No. CXLVII.

*English copy of the Sanad granted to the people of Gor on 2nd November 1892.*

The people of the Tributary State of Gor are hereby promised in the name of the Government of His Highness the Maharaja of Jammu and Kashmir that, in consideration of their opening their country to the officials and troops of His Highness the Maharaja and giving assistance to British officers travelling in Gor, they shall never be called upon to pay any revenue or "Kharid" grain, nor any tribute other than that at present imposed upon them.

It is hereby promised that no "kar beggar" will ever be taken from the Gor people, and that the two villages of Geys will also be granted to them on the same terms as they have been allowed in case of Gor.

This promise to which the signatures of the Governor of Gilgit and of the British Agent are appended, will hold good so long as the people of Gor are faithful to their engagements, and carry out the orders of Government.

No. CXLVIII.

*Form of Sanad for Thor.*

WHEREAS the inhabitants of the Thor valley have from times past always been intimately connected with the Shinaki communities of Chilas; and whereas they have unitedly submitted a petition to be taken under the protection of Government in the same manner as the other sections of Chilas, the Government of India has been pleased to accept their prayer.

It is accordingly notified in the name of His Highness the Maharaja of Jammu and Kashmir and the Government of India that for the future the State of Thor will be considered to be one of the Tributary States of the Chilas district, and will receive exactly the same treatment from the Political Officer in Chilas as the other States under his political charge.

The people of Thor will be responsible for their internal government, but will refer all cases which they cannot themselves settle in accordance with tribal custom, and all questions of a political nature between themselves and other communities to the Political Officer in Chilas for settlement; and they will abide by his decisions.

In consideration of their faithfully performing the levy service required of them, and in consideration of their opening their country at all times to the officials and troops of His Highness the Maharaja, and of always giving assistance to British officers travelling in Thor, and always obeying all orders sent to them from Gilgit, the people of the Tributary State of Thor will be allowed to keep their arms for their own defence; and will not be called upon for any tax beyond the tribute of 12 male goats, which is hereby



fixed as a yearly nazarana to His Highness the Maharaja of Jammu and Kashmir; and will not be called upon to do any work or forced labour outside the limits of their valley. In case, however, of the Thor people giving Government cause for displeasure, or in case of their showing any want of loyalty and refusing to carry out orders, it will rest with Government to impose any further tax or service which it may consider necessary.

This paper signed by

Political Agent,

Gilgit, on behalf of the Government of India, and by

Wazir-i-Wazarat,

Frontier Districts, Gilgit, on behalf of His Highness the Maharaja of Jammu and Kashmir on the day of

is given to the people of Thor

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## PART IV.

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# TREATIES AND ENGAGEMENTS

relating to  
EASTERN TURKISTAN

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*From a report by Mr. George Macartney, Special Assistant for Chinese Affairs to the Resident in Kashmir.*

Kashgaria or Eastern Turkistan was conquered by China in the reign of Ch'ien-Lung (1735-1796). Before that time the Chinese dominion was merely nominal, the States of Eastern Turkistan owing a loose allegiance to the Empire without forming an integral part of it. But after the Chinese army, under the generalship of Chao-hui, in 1758 took Dzungaria and Kashgaria from the Khojas Burhannuddin and his brother, the Chinese rule, although repeatedly shaken, and even temporarily overthrown by rebellions and by expulsion, became intimately associated with the country. As early as 1759 there is evidence of the existence of some Indo-Yarkand trade in the letters of the Chinese General Chao-hui, who writes:—"Those who trade with Hindustan or with Mōscovia are obliged to give up, on their return, one-tenth of their profits. As for foreign merchants who come to trade in Kashgar, they only give up one-twentieth of their profits. Such was the usage I found established."

After the conquest of Eastern Turkistan the Chinese organised the country into a sort of military province, under the name of the Government of Ili, which comprised the Tien-shan Nan-lu and the Tien-shan Pei-lu. In the Tien-shan Nan-lu (southern slope of the Tien-shan, or Kashgaria), which roughly corresponds to the Tarim Basin, were situated the eight towns of Yarkand, Kashgar, Aksu, Khotan Karashahr, Kuchar, Uch Turfan and Yangi Hissar.

The Tien-shan Pei-lu (northern slope of the Tien-shan or Dzungaria) was divided into the military districts of Ili on the west, Tarbagatai on the north, and Kour-Kara-ou-su, on the east. The Government of all the circuits was confided to a Chiang-Keun (Tartar General), residing at



Kuldja, who had under his orders two advisers and 34 Ambans in charge of the different districts of Dzungaria and Kashgaria.

The Khojas, dispossessed of their power at Kashgar, fled to Kokand, and there gathered armies of adventurers, and passed their time in conspiracies against the Chinese Government. No less than four times they overthrew the Chinese rule, but their successes were never permanent. The Yarkandis, Kashgaris, and Khotanis, their co-religionists, each time disgusted with their vice and weary of their tyrannical yoke, abandoned them. The Khoja Jehangir was made prisoner in 1825, and was cut in pieces by order of the Emperor Tao-Kuang. The insurrection caused in 1859 by Khoja Wali Khan—the murderer of the unfortunate German traveller Schlagentweit—had no better success.

On the 25th July 1851, the Convention of Kuldja\* was signed, regulating the Russo-Chinese trade in the towns of Kuldja and of Tarbagatai. By this convention Russia acquired the right of consular representation at Ili. A few years later, on the 14th November 1860, the Treaty of Peking† was signed, the object of which was to define in general terms the entire frontier of the two Powers, from the Amour on the east to the possessions of Kokand on the west. This treaty first opened Kashgar to Russian trade, and provided for the cession to the Russians of land for building houses, churches and cemeteries, and for pasturage at Kashgar. The protocol of Tchuguchak,‡ signed on the 7th October 1864, defined in detail the northern and the eastern boundaries of Russian and Chinese Turkistan.

During the decade 1854-64, the Chinese Empire passed through a series of troubles which shook the throne of the Manchu dynasty to its very foundation. The inner provinces of the Empire were overrun by the Taiping rebels. In the north-west the province of Kansu was devastated by a Tungani (Chinese Muhammadan) rising, which was soon followed by a general revolt in the whole of Eastern Turkistan. The Khoja pretender, Buzurg Khan, returned from Kokand, and, claiming the throne of his ancestors, was established as the King of Kashgar (1865). He in his turn was soon deposed by Yakub Beg, an Uzbek from Tashkent, and an adventurer of low origin, who had come to Kashgar in the train of Buzurg. In the meantime, while Yakub Beg, who had made himself the Amir of the country and received in 1866, at the hands of the Amir of Bokhara, the title of Atalik Ghazi, was warring against such Tunganis and Chinese garrisons as would not submit to his authority, Russia occupied the fertile district of

\* Hertslet's China Treaties, Volume I, page 305.

† Hertslet's China Treaties, Volume I, page 318.

‡ Hertslet's China Treaties, Volume I, page 329.

ili (Kuldja) in 1871 for the purpose of putting a stop to the prevailing anarchy. But, in taking this measure, she promised China to retrocede the country to China, should the latter ever re-establish order in her Central Asian dominions.

The usurper Yakub Beg gradually consolidated his power, and he bade fair to establish such a strong rule over Kashgaria that the European Powers, who had possessions on his western and southern borders, hesitated no longer to acknowledge him by entering into diplomatic relations with him.

In 1869 Yarkand and Kashgar were visited by Messrs. Shaw and Hayward, who were received with kindness by the Atalik Ghazi. Towards the end of the same year the Atalik Ghazi sent an envoy to India to express his wish for the establishment of friendly relations with the British Government, the development of trade, and the visit of a British officer to his capital. Accordingly a mission, composed of Mr. Forsyth, Mr. Shaw, and Dr. Henderson, proceeded to Yarkand in 1870 with a friendly letter to the Atalik Ghazi. In the meantime the Tunganis of Ush Turfan and Urumtsi had assembled in great force and advanced on Kuchar. To quell these disturbances the Atalik Ghazi was compelled to proceed to the frontier in person, and was thus absent from Yarkand on the arrival there of the mission. As there was no immediate prospect of the Atalik Ghazi's return from the frontier, the mission left Yarkand on its return to India in September 1870. In the following year the Atalik Ghazi again opened friendly negotiations by despatching an envoy with letters for Her Majesty the Queen and the Viceroy of India.

In 1872 a Russian Embassy visited Eastern Turkistan and a commercial Treaty\* was concluded between the Russians and the Atalik

\* *Conditions of Free Trade proposed by General Aide-de-camp VON KAUFMANN to YAKUB BEG, Chief of Djety-Shahr.*

1. All Russian subjects, of whatsoever religion, shall have the right to proceed for purposes of trade to Djety-Shahr, and to all the localities and towns subject to the Chief of Djety-Shahr, which they may desire to visit, in the same way as the inhabitants of Djety-Shahr have hitherto been and shall be in the future entitled to prosecute trade throughout the entire extent of the Russian Empire. The honourable Chief of Djety-Shahr undertakes to keep a vigilant guard over the complete safety of Russian subjects within the limits of his territorial possessions and also over that of their caravans, and in general over everything that may belong to them.

*Conditions pour la liberté du commerce, proposées par l'Aide de Camp Général VON KAUFMANN au chef de Djita-Schah, YAKOV BEG.*

1. Tous les sujets russes, à quelque religion qu'ils appartiennent, ont le droit de se rendre pour affaires de commerce à Djita-Schah et dans toutes les localités et villes soumises au chef de Djita-Schah qu'ils voudront visiter, — tout comme les habitants de Djita-Schah étant autorisés jusqu'à présent et le seront à l'avenir à faire le commerce sur toute l'étendue de l'empire de Russie. L'honorable chef de Djita-Schah s'engage à veiller avec vigilance à la complète sécurité des sujets russes se trouvant dans les limites de ses possessions territoriales ainsi que de leurs caravanes, et en général de tout ce qui leur appartient.



Ghazi, by which the former secured the privilege of trading without molestation in the Atalik Ghazi's dominions, subject to a maximum duty of 2½ per cent. on Russian goods entering the country.

Early in 1873 Saiyid Yakub Khan Tora arrived in India as an envoy from the Atalik Ghazi, and, after discussing the measures considered desirable for placing the relations between the British Government and his master's dominions on a satisfactory footing, proceeded to Constantinople. During his absence arrangements for the despatch of a second mission to Yarkand were made. Mr. Forsyth was again placed in charge, and the party, having been joined *en route* by Saiyid Yakub Khan, reached Yarkand in November 1873. On the occasion of the Saiyid's mission to Constantinople, the Sultan conferred upon the Atalik Ghazi the title of Amir-ul-Muminin. Yakub Beg now changed his name to Yakub Khan and assumed the title of Amir.

II. Russian merchants shall be entitled to have caravanserais, in which they alone shall be able to store their merchandize, in all the towns of Djety-Shahr in which they may desire to have them. The merchants of Djety-Shahr shall enjoy the same privilege in the Russian villages.

III. Russian merchants shall, if they desire it, have the right to have commercial agents (caravanbashes) in all the towns of Djety-Shahr, whose business it is to watch over the regular course of trade and over the legal imposition of customs dues. The merchants of Djety-Shahr shall enjoy the same privilege in the towns of Turkistan.

IV. All merchandize transported from Russia to Djety-Shahr, or from that province into Russia, shall be liable to a tax of 2½ per cent. *ad valorem*. In every case this tax shall not exceed the rate of the tax taken from Mussulmans being subject to Djety-Shahr.

V. Russian merchants and their caravans shall be at liberty, with all freedom and security, to traverse the territories of Djety-Shahr in proceeding to countries contiguous with that province. Caravans from Djety-Shahr shall enjoy the same advantages for passing through territories belonging to Russia.

These conditions were sent from Tashkand on the 9th of April 1872.

General von Kaufmann I., Governor-General of Turkistan, signed the treaty and attached his seal to it.

In proof of his assent to these conditions, Muhammad Yakub, Chief of Djety-Shahr, attached his seal to them at Yangi-Shahr on the 8th of June 1872.

II Les marchands russes seront autorisés à avoir dans toutes les villes de Djita-Schara là où ils le désireront, des caravansérails dans lesquels ils pourront exclusivement déposer leurs marchandises. Les marchands de Djita-Schara jouiront du même droit dans les villes russes.

III. Les marchands russes ont le droit s'ils le désirent, d'avoir dans toutes les villes de Djita-Schara leurs agents de commerce (caravanbachi) qui auront pour mission la surveillance de la marche régulière du commerce et de la perception légale des droits de douane. Les marchands de Djita-Schara jouiront du même droit dans les villes du Turkistan.

IV. Toutes les marchandises se rendant de Russie à Djita-Schara ou de cette province en Russie seront soumises à une taxe de 2½ % de la valeur des marchandises. En tout cas cette taxe ne doit pas dépasser le chiffre de celle qui est prélevée sur les musulmans sujets de Djita-Schara.

V. Les marchands russes et leurs caravanes, peuvent traverser en toute liberté et sécurité le territoire de Djita-Schara pour se rendre dans les contrées limitrophes de cette province. Les caravanes de Djita-Schara jouiront des mêmes avantages pour traverser les territoires appartenant à la Russie.

Ces conditions ont été envoyées de Tachkent le 9 avril 1872.

Le gouverneur général du Turkestan, M. l'aide de camp général de Kauffmann I<sup>er</sup>, a signé ce traité et y a apposé son sceau.

Comme preuve de son assentiment à ces conditions le chef de Djita-Schara, Mou ammed Yacoub les a revêtues de son sceau à Jangyschar, le 8 juin 1872.

The British envoy was formally received by the Amir at Kashgar in December 1873, and on the 2nd February 1874 a commercial Treaty (No. CXLIX) was signed between the British Government and the Amir of Yarkand; and it was ratified by the Governor-General of India on the 13th April following.

The mission returned to India in the summer of 1874, but owing to delays from various causes the ratifications of the treaty were not exchanged till October 1876, when the Amir's envoy arrived in Simla on a fresh mission.

The question of deputing a permanent agent to Kashgar in accordance with Article 6 of the treaty was under consideration, when in July 1877 news was received of Yakub Khan's death. The despatch of the mission was then indefinitely postponed.

Meanwhile the country had been getting into a disturbed state; the people, discontented with the taxes laid on them by the Amir, had been inviting the Chinese to return; and the Chinese had advanced as far as the neighbourhood of Khami. As the Amir still had a show of power, they hesitated to advance further, but sent him a letter enclosing the signatures of many Turkis of position, who had written promising to come over to them if they advanced, and asking why he opposed them when his own people were against him. On receiving this the Amir committed suicide, and with his death the Andijani power ceased to exist. The Chinese, though by no means in strong military force, quietly re-occupied the country reaching Yarkand and Kashgar. No opposition was offered, and by the spring of 1878 the country was once more completely in their hands, excepting the province of Ili, which was still held by the Russians. The administration\* established on the return of the Chinese differs materially from that which existed before their expulsion in the course of 1865. Whereas prior to that event, the country was governed, more or less, as a military colony by Manchu Ambans, now it was converted into a regular province, under the name of Sin-Chiang (New Dominion) and was given an administration similar to that of the 18 other provinces of China. The capital has been established at Urumtchi, and the Government is entrusted to a Futai (Provincial Governor) with civil and military powers. He is assisted by a council of high dignitaries, consisting of a Titai (Commander-in-Chief of Chinese Troops, Head-quarters at Kashgar), of a Chiang-keun (Commander-in-Chief of the Tatar troops in Ili and Tarbagatai), of a Fantai (Provincial Treasurer) and of a Niehtal (Provincial

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\* Hertslet's China Treaties, Volume I, page 340.



Judge). Under the supervision of the Futai, the local administrations are carried on by the four Taotais (Intendants of Circuit) of Ili-Tarbagatai, of Urumtchi, of Aksu and of Kashgar; and these have under their respective control 6, 11, 10, 12 district officers of various grades. The functions of the latter are executive, magisterial and fiscal. The land is held by peasant proprietors, who pay an annual land tax, in kind, to the Government. The revenue of the province is insufficient for its support; and the New Dominion receives a yearly subsidy of 800,000 Taels, collected from some of the richer provinces of China proper. Having organized her administration over the re-occupied province, China lost no time in reminding Russia of her promise made in 1871. Chung-how was sent to St. Petersburg as Ambassador to negotiate for the retrocession of Ili, and after protracted discussions a document was signed in September 1879 known as the Treaty of Lavadia, to which, as it only provided for the surrender to China of the Kuldja valley and left that of the Tekes in the possession of the Russians, the Chinese Government refused ratification. China having expressed her desire for another pacific settlement, the Marquis of Tsêng was despatched to St. Petersburg to take up the thread of negotiations; and on the 24th February 1881 he signed a Treaty at St. Petersburg, which, though it still left Russia in possession of a part of Ili, was universally approved in China. By previous treaties with China Russia had acquired the right of consular representation at Ili, Targabatai and Kashgar. By the Treaty of St. Petersburg these rights were extended to the towns of Chia-yu-kuan and Turfan; and "in the following towns, Kobdo, Ouliassoutai, Khami, Urumtchi and Guchen, the Russian Government will establish Consulates according as they are called for by the development of commerce, and after coming to an understanding with the Chinese Government." Concerning Turfan, the following proviso was made:—"The town of Turfan not being open to foreign commerce, the right of establishing a Consulate there shall not serve as a precedent, upon which to rest a similar right with respect to the ports of China, to the internal provinces and to Manchuria." Russian subjects were also permitted to carry on trade, free of duty, throughout the province of Eastern Turkistan. "The commercial stipulation may be revised after the lapse of ten years, to date from the day of the exchange of the ratifications; but if, within the course of six months before the term expires, neither of the contracting parties should manifest a desire to proceed to its revision, the commercial stipulation will remain in force for a further term of ten years." Since 1881 no revision has been made. Article IX provided for the nomination of commissioners for the erection of boundary pillars between the Russian province of Ferghana

and the western part of the Chinese district of Kashgar. In consequence of this provision General Medinsky, on the part of Russia, and Sa Ta-jen, on the part of China, met in 1884, and on the 22nd May of that year exchanged a protocol regarding this boundary. The southernmost point of it was fixed in the Uz Bel valley (S. E. of the Great Kara Kul lake), where, it was decided by the commissioners, "is the terminus of the boundary line of the two countries, the Russian boundary turning south-west and the Chinese boundary due south."

According to this protocol there should exist, unclaimed both by Russia and by China, a triangular piece of land, south-west of Uz Bel, in the Upper Oxus Basin, or on the Pamirs. In 1890 the Chinese advanced westwards as far as Somatash. They subsequently withdrew from Somatash before the Afghans who occupied it. In 1892 a Russian expedition under Colonel Yonoff appeared there and a collision took place between the Russians and Afghans on the 14th September 1892. Under orders from the Russian Government, Colonel Yonoff withdrew and commenced his march homewards. The Chinese troops had retired by then to the eastern side of the Sarikol range, *i.e.*, the watershed between the Basin of the Upper Oxus on the one side, and that of the Yarkand river on the other. This watershed is still the *de facto* frontier between Russia and China in these regions. It has not yet been confirmed by a treaty. As the Russian occupation of the Pamirs led to some negotiations between the British and the Russian Governments with regard to the boundary of Russia with Afghanistan, an Anglo-Russian Commission, under Major-General M. G. Gerard, C.B. (British Commissioner), and General Povalov-Schveikovsky (Russian Commissioner), aided by two Afghan representatives, was sent to the Pamirs in 1895 to delimit the boundary; and the Commission erected boundary pillars between Lake Victoria and Peak Povalov-Schveikovsky, one of the summits of Sarikol watershed, and on the *de facto* Chinese border.

The Indo-Chinese frontier on the side of Eastern Turkistan has never been fixed by treaty with China.

The State of Kanjut or Hunza over which China, at one time, had vague suzerain rights, and whose nominal subordination to Kashmir was recognized by the British Government, was occupied by British Indian troops in 1891. A garrison was kept there till June 1897, when it was withdrawn, on the establishment of the Hunza and Nagar levies. The Mir of Hunza, according to a custom of long standing, sends agents yearly to Kashgar to exchange presents with the Taotai of that country. The *ex-Mir* of Hunza, Safdar Ali, who fled to Chinese Turkistan on the occupation of his territory by the British forces in 1891, is now living at Kuchar under



surveillance of the Chinese, without, however, receiving any fixed subsidy from them. His eldest son, Muzaffar Khan, lives on a jagir at Rewachi Yarkand, given to the Mir of Hunza by the Chinese authorities.

In 1893 the Indian Government stationed an officer in Kashgar under the designation of "Special Assistant for Chinese Affairs to the Resident in Kashmir." This post was altered to that of British Consul, in February 1904. So far, however, the Chinese Government have declined to recognise the right of the British Government to consular representation at Kashgar.

Since the Forsyth Mission the Indian trade with Chinese Turkistan, which is carried on under extraordinary physical difficulties, has made slow but steady progress. The actual number of British subjects in these parts probably amounts to nearly 700, of whom about 600 are probably Shikarpuri money-lenders, 50 Hoshiarpuri Hindu traders, and 50 Kashmiri and Bajauri Muhammadan traders. The average value of exports and imports *via* Ladakh, during the decade 1894-1904, was a little over Rs. 20,00,000. The Chinese Government, wishing to raise additional revenue to pay off the indemnity to foreign powers, consequent on the Boxer rising, laid an annual contribution of 400,000 taels on the New Dominion. As a help towards raising this amount, likin was re-established in the province in 1902, after an abolition thereof for 10 years. Such likin, however, is not paid by Russian or by British subjects. By Article XII of the Treaty of St. Petersburg, Russian subjects acquired the right to trade in these parts free from the payment of all dues on goods, whether of foreign or of local production, so long as such goods were their own property. In 1902 the same right was recognized by the Chinese authorities in the case of British subjects. Afghan subjects, however, have not been officially exempt; and this inequality of treatment in respect of the likin is one of the reasons why Afghans, in the New Dominion, are now solicitous of British protection. A number of British subjects,—Kashmiris and Bajauris,—possess land and houses in Yarkand. As cultivators, they pay the customary land tax. How far the right of foreign subjects to possess land and house property in the New Dominion has been recognized by the local Chinese authorities, it is difficult to say; for the attitude of different district officers in this matter has been far from uniform. The present tendency, however, is to restrict such rights to towns where Russia has established Consulates. Article XIII of the Treaty of St. Petersburg provides that in such "localities" "Russian subjects may construct houses, shops, store-houses, and other buildings on the land they may acquire by purchase, or which may be granted to them by the local authorities, in accordance with what is laid down for Ili and Tarbagatai by Article XIII of the Kuldja Treaty of 1851."

## No. CXLIX.

TREATY between the BRITISH GOVERNMENT and HIS HIGHNESS the AMEER MAHOMED YAKOOB KHAN, RULER of the TERRITORY of KASHGAR and YARKUND, his heirs and successors, executed on the one part by THOMAS DOUGLAS FORSYTH, C.B., in virtue of full powers conferred on him in that behalf by HIS EXCELLENCY the RIGHT HON'BLE THOMAS GEORGE BARING, BARON NORTHBROOK of STRATTON and a BARONET, MEMBER OF the PRIVY COUNCIL of HER MOST GRACIOUS MAJESTY the QUEEN of GREAT BRITAIN and IRELAND, GRAND MASTER of the MOST EXALTED ORDER of the STAR of INDIA, VICEROY and GOVERNOR-GENERAL of INDIA in COUNCIL, and on the other part by SYUD MAHOMED KHAN TOORAH, Member of the 1st CLASS of the ORDER of MEDJEDIE, etc., in virtue of full powers conferred on him by HIS HIGHNESS,—1874.

Whereas it is deemed desirable to confirm and strengthen the good understanding which now subsists between the high contracting parties, and to promote commercial intercourse between their respective subjects, the following Articles have been agreed upon :—

## ARTICLE 1.

The high contracting parties engage that the subjects of each shall be at liberty to enter, reside in, trade with and pass with their merchandize and property into and through all parts of the dominions of the other, and shall enjoy in such dominions all the privileges and advantages with respect to commerce, protection or otherwise, which are or may be accorded to the subjects of such dominions, or to the subjects or citizens of the most favored nation.

## ARTICLE 2.

Merchants of whatever nationality shall be at liberty to pass from the territories of the one contracting party to the territories of the other with their merchandize and property, at all times and by any route they please ; no restriction shall be placed by either contracting party upon such freedom of transit unless for urgent political reasons to be previously communicated to



the other; and such restriction shall be withdrawn as soon as the necessity for it is over.

#### ARTICLE 3.

European British subjects entering the dominions of His Highness the Ameer for purposes of trade or otherwise must be provided with passports certifying to their nationality. Unless provided with such passports they shall not be deemed entitled to the benefit of this Treaty.

#### ARTICLE 4.

On goods imported into British India from territories of His Highness the Ameer by any route over the Himalayan passes which lie to the south of His Highness' dominions, the British Government engages to levy no import duties. On goods imported from India into the territories of His Highness the Ameer no import duty exceeding 2½ per cent. *ad valorem* shall be levied. Goods imported as above into the dominions of the contracting parties may, subject only to such excise regulations and duties and to such municipal or town regulations and duties as may be applicable to such classes of goods generally, be freely sold by wholesale or retail and transported from one place to another within British India and within the dominions of His Highness the Ameer respectively.

#### ARTICLE 5.

Merchandise imported from India into the territories of His Highness the Ameer will not be opened for examination till arrival at the place of consignment. If any disputes should arise as to the value of such goods, the Customs Officer or other officer acting on the part of His Highness the Ameer shall be entitled to demand part of the goods at the rate of one in forty in lieu of the payment of duty. If the aforesaid Officer should object to levy the duty by taking a portion of the goods, or if the goods should not admit of being so divided, then the point in dispute shall be referred to two competent persons, one chosen by the aforesaid Officer and the other by the importer, and a valuation of the goods shall be made, and if the referees shall differ in opinion, they shall appoint an arbitrator, whose decision shall be final, and the duty shall be levied according to the value thus established.

#### ARTICLE 6.

The British Government shall be at liberty to appoint a Representative at the Court of His Highness the Ameer and to appoint Commercial Agents subordinate to him in any towns or places considered suitable within His Highness' territories. His Highness the Ameer shall be at liberty to appoint a Representative with the Viceroy and Governor-General of India, and to station Commercial Agents at any places in British India considered suitable. Such Representative shall be entitled to the rank and

privileges accorded to Ambassadors by the law of nations, and the Agents shall be entitled to the privileges of Consuls of the most favored nation.

#### ARTICLE 7.

British subjects shall be at liberty to purchase, sell, or hire land or houses or depôts for merchandize in the dominions of His Highness the Ameer, and the houses, depôts, or other premises of British subjects shall not be forcibly entered or searched without the consent of the occupier unless with the cognizance of the British Representative or Agent and in presence of a person deputed by him.

#### ARTICLE 8.

The following arrangements are agreed to for the decision of civil suits and criminal cases within the territories of His Highness the Ameer in which British subjects are concerned:—

(a).—Civil suits in which both plaintiff and defendant are British subjects, and criminal cases in which both prosecutor and accused are British subjects, or in which the accused is an European British subject mentioned in the third Article of this Treaty, shall be tried by the British Representative or one of his Agents in the presence of an Agent appointed by His Highness the Ameer ;

(b).—Civil suits in which one party is a subject of His Highness the Ameer and the other party a British subject, shall be tried by the Courts of His Highness in the presence of the British Representative or one of his Agents or of a person appointed in that behalf by such Representative or Agent ;

(c).—Criminal cases in which either prosecutor or accused is a subject of His Highness the Ameer shall, except as above otherwise provided, be tried by the Courts of His Highness in presence of the British Representative or of one of his Agents or of a person deputed by the British Representative or by one of his Agents ;

(d).—Except as above otherwise provided, civil and criminal cases in which one party is a British subject, and the other the subject of a foreign power, shall, if either of the parties is a Mahomedan, be tried in the Courts of His Highness ; if neither party is a Mahomedan, the case may, with consent of the parties, be tried by the British Representative or one of his Agents ; in the absence of such consent, by the Courts of His Highness.

(e).—In any case disposed of by the Courts of His Highness the Ameer to which a British subject is party, it shall be competent to the British Representative, if he considers that justice has not been done, to represent the matter to His Highness the Ameer who may cause the case to be retried in some other Court, in the presence of the British Representative or of one of his Agents or of a person appointed in that behalf by such Representative or Agent.



## ARTICLE 9.

The rights and privileges enjoyed within the dominions of His Highness the Ameer by British subjects under the Treaty shall extend to the subjects of all Princes and States in India in alliance with Her Majesty the Queen; and if with respect to any such Prince or State, any other provisions relating to this Treaty or to other matters should be considered desirable, they shall be negotiated through the British Government.

## ARTICLE 10.

Every affidavit and other legal document filed or deposited in any Court established in the respective dominions of the high contracting parties, or in the Court of the Joint Commissioners in Ladakh, may be proved by an authenticated copy, purporting either to be sealed with the seal of the Court to which the original document belongs, or in the event of such Court having no seal, to be signed by the Judge or by one of the Judges of the said Court.

## ARTICLE 11.

When a British subject dies in the territory of His Highness the Ameer his movable and immovable property situate therein shall be vested in his heir, executor, administrator, or other representative in interest or (in the absence of such representative) in the Representative of the British Government in the aforesaid territory. The person in whom such charge shall be so vested shall satisfy the claims outstanding against the deceased, and shall hold the surplus (if any) for distribution among those interested. The above provisions *mutatis mutandis* shall apply to the subjects of His Highness the Ameer who may die in British India.

## ARTICLE 12.

If a British subject residing in the territories of His Highness the Ameer becomes unable to pay his debts or fails to pay any debt within a reasonable time after being ordered to do so by any Court of Justice, the creditors of such insolvent shall be paid out of his goods and effects; but the British Representative shall not refuse his good offices, if needs be, to ascertain if the insolvent has not left in India disposable property which might serve to satisfy the said creditors. The friendly stipulations in the present Article shall be reciprocally observed with regard to His Highness' subjects who trade in India under the protection of the laws.

This Treaty having this day been executed in duplicate and confirmed by His Highness the Ameer, one copy shall, for the present, be left in the possession of His Highness, and the other, after confirmation by the Viceroy and Governor-General of India, shall be delivered to His Highness within twelve months in exchange for the copy now retained by His Highness.

Signed and sealed at Kashgar on the second day of February in the year of our Lord 1874, corresponding with the fifteenth day of Zilhijj 1290 Hijree.

(Sd.) T. DOUGLAS FORSYTH,

*Envoy and Plenipotentiary.*

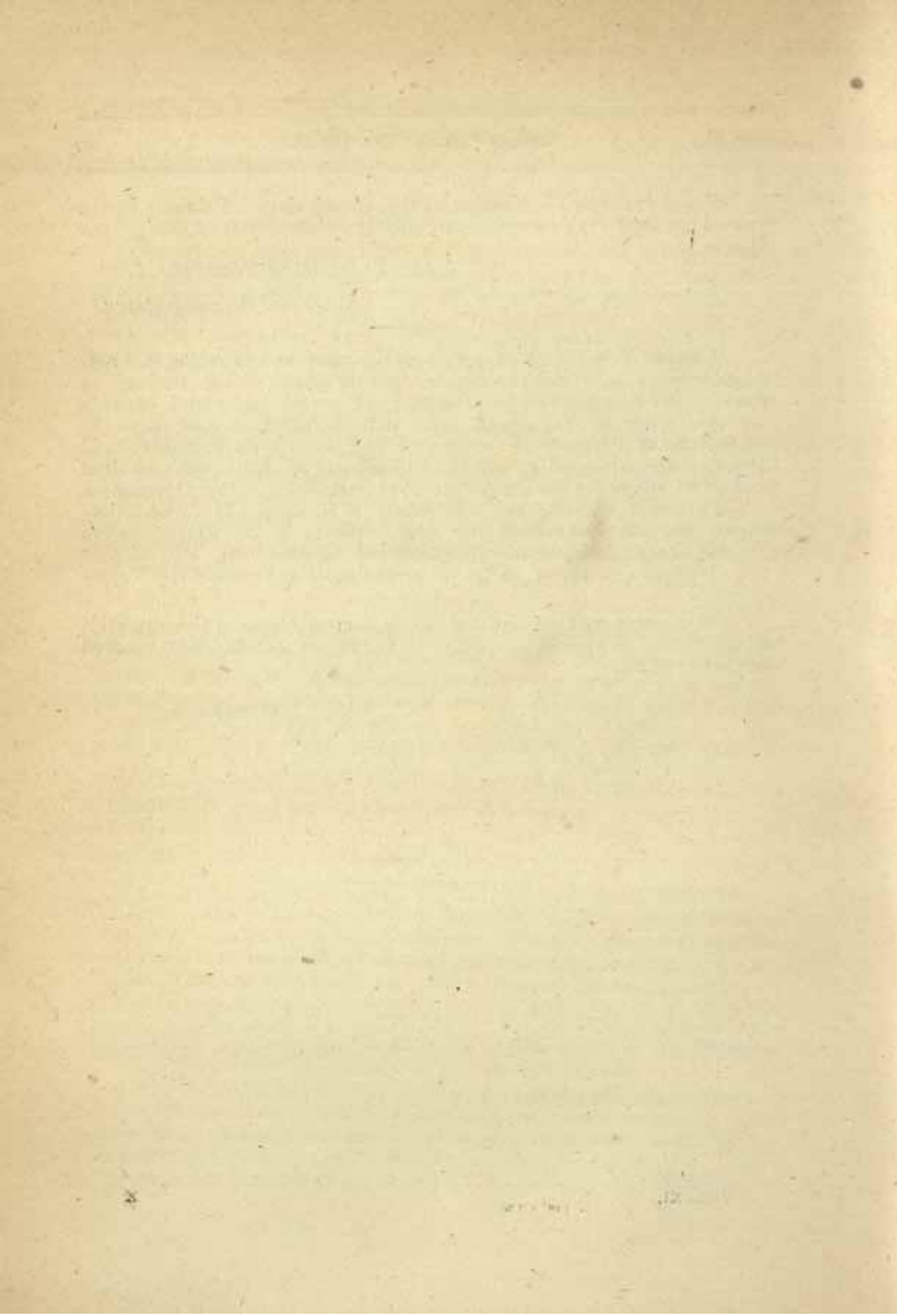
Whereas a Treaty for strengthening the good understanding that now exists between the British Government and the Ruler of the territory of Kashgar and Yarkund, and for promoting commercial intercourse between the two countries, was agreed upon and concluded at Kashgar on the second day of February in the year of Our Lord eighteen hundred and seventy-four, corresponding with the fifteenth day of Zilhijj twelve hundred and ninety Hijree, by the Respective Plenipotentiaries of the Government of India and of His Highness the Ameer of Kashgar and Yarkund duly accredited and empowered for that purpose: I, the Right Hon'ble Thomas George Baring, Baron Northbrook of Stratton, etc., etc., Viceroy and Governor-General of India, do hereby ratify and confirm the Treaty aforesaid.

Given under my hand and seal at Government House in Calcutta, this thirteenth day of April in the year of Our Lord one thousand eight hundred and seventy-four.

Seal.

(Sd.) NORTHBROOK.





## PART V.

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# TREATIES AND ENGAGEMENTS

relating to

AFGHANISTAN.

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AT the beginning of the nineteenth century the Durani empire, extending from Herat to Kashmir and from Balkh to Sind, which had been built up by Ahmad Shah Abdali, remained undivided in the hands of his grandson, Zaman Shah. Having incurred the enmity of the powerful Barakzai tribe, Zaman Shah was deposed and blinded by his brother, Mahmud, who was supported by Fateh Khan and the Barakzais. He eventually died a pensioner of the British Government at Ludhiana. In 1803 Shah Mahmud was driven out by Shuja-ul-Mulk, the younger brother of Zaman Shah ; and Shah Shuja was still in possession of the undivided empire of Ahmad Shah at the time of Mr. Elphinstone's mission in 1808.

This mission was sent for the purpose of concerting with Shah Shuja the means of mutual defence against the threatened invasion of Afghanistan and India by the French in confederacy with the Persians. The mission was well received at Peshawar by Shah Shuja, and it resulted in the conclusion of a Treaty (No. CL) of alliance, which was ratified by Lord Minto on the 17th June 1809. It was understood that the stipulations of the second article rendered it incumbent on the British Government to assist Shah Shuja only in the event of an attack by the French and Persians for the purpose of fulfilling the terms of their confederacy, but not if Persia alone should invade Afghanistan without such a purpose, or in consequence of former enmity or recent disputes.

Mr. Elphinstone had scarcely left Peshawar when news was received that Kabul had been occupied by Shah Mahmud with the aid of Fateh Khan. After wandering about for some years, the sport of fortune, now a captive in Kashmir, now the prisoner of Ranjit Singh at Lahore, in September 1816, Shah Shuja found an asylum in the British territories at Ludhiana.



In the meantime Fateh Khan Barakzai, who was the chief support of Shah Mahmud's power, incurred his jealousy, and was blinded and slain. The death of Fateh Khan roused the vengeance of the Barakzai clan. Of the twenty brothers of Fateh Khan, one of the youngest, Dost Muhammad Khan, was foremost in avenging his murder. Shah Mahmud was driven from all his dominions, except Herat, and the whole of Afghanistan was parcelled out among the Barakzai brothers. In the confusion consequent on this revolution Balkh was seized by the Chief of Bokhara, the Derajat by Ranjit Singh, and the outlying province of Sind assumed independence. In the partition of Afghanistan, Ghazni fell to the share of Dost Muhammad, but he soon established his supremacy at Kabul also, and thus became the most powerful of the Barakzai Sardars. His half-brother, Kohandil Khan, ruled conjointly with his brothers in virtual independence at Kandahar, while other districts had fallen to other sons of Paindah Khan Barakzai.

Shah Kamran, the son of Mahmud, managed to maintain a precarious footing at Herat. He was nephew of Zaman Shah, Shah Shuja-ul-Mulk, and Firoz-ud-din, and was the last remaining representative of the Sadozai princes in Afghanistan. Kamran was cruel and dissipated, and entirely ruled by his minister, Yar Muhammad Khan Alakozai, an able but infamous man who had risen to eminence by the murder of the other Chiefs.

Shah Shuja had still a strong party in Kabul, and never lost hopes of recovering his kingdom. With this view, he concluded a treaty with Ranjit Singh in 1833, marched through Sind, where he defeated the Amir, and advanced on Kandahar, which he temporarily occupied. Here, however, he was signally defeated by Dost Muhammad, and again fled to his asylum at Ludhiana. During the distractions which followed on these events, Ranjit Singh possessed himself of the valley of Peshawar. Roused by the aggressions of the Sikhs, Dost Muhammad resolved on declaring a religious war on them. He assumed the title of Amir-ul-Muminin, Commander of the Faithful, and called on all true followers of Muhammad to join in his expedition. With an immense army he advanced to the Peshawar valley, but Ranjit Singh sowed treason in the camp, and the army melted away. Thus Peshawar was lost to the Amir.

It had long been the policy of the British Government to raise a barrier in Persia to the invasion of India by France or Russia from the west, and no means had been spared to increase the influence of the British at the court of Tehran. By her conquests in the north, however, resulting in the treaty\* of Turkmanchai in 1828, Russia was enabled to obtain an ascendancy in

\* See Vol. XII.

Persia, which she employed to encourage the claims of the Shah to sovereignty over Herat and western Afghanistan.

On the 23rd November 1837 Muhammad Shah, King of Persia, laid siege to Herat in pursuance of his ambitious policy for the re-conquest of Afghanistan. It was on this occasion that Herat sustained the memorable ten months' siege, and all the efforts of the Shah to capture it, aided by the advice and direction of Russian officers, were defeated.

When the Persian army appeared before Herat, Dost Muhammad Khan was not disinclined to welcome a power from which he expected support in his designs against the Sikhs and in his attempts to recover Peshawar.

Meanwhile Lord Auckland had sent a mission to Kabul under Captain Burnes. The mission was professedly a commercial one, but had also in view the checking of the advance of Persia and the establishment of peace between the Amir and Ranjit Singh. Dost Muhammad, however, was unable to obtain from the envoy the assurance, which he hoped for, of the good offices of the British Government in procuring the restoration of Peshawar, and he therefore turned to the Russians, from whom he hoped to obtain greater advantages than from an English alliance.

To check these aggressive measures on the part of Persia and Russia, the British Government of India determined to interpose a friendly power in Afghanistan between their frontier and Persia by re-establishing the Sadozai dynasty at Kabul and maintaining the independence of Herat as a separate State. It was believed that Shah Shuja would be welcomed by a powerful party in Kabul, to whom the Barakzai rule was odious. The restoration of the exiled monarch was resolved on, and with this object the tripartite treaty of June 1838 (see Punjab, Volume VIII) between the British Government, Ranjit Singh, and Shah Shuja was executed. On the 8th of May 1839 Shah Shuja was crowned at Kandahar, and shortly afterwards Dost Muhammad surrendered himself and was carried a prisoner into Hindustan. The welcome, however, which was expected for Shah Shuja from the people was not given. He was supported entirely by British bayonets. Insurrections soon broke out, which were headed by Muhammad Akbar Khan, the second son of Dost Muhammad. They ended in the destruction of the small British force at Kabul and the murder of Shah Shuja. These disasters were retrieved by Generals Pollock and Nott, who with avenging armies, forced their way, the one by the Khyber pass, and the other from Kandahar by Ghazni to Kabul. Having vindicated the honour of the British arms, the British army evacuated Afghanistan. Dost



Muhammad was released and permitted to return to Kabul, and the Afghans were left to form any government they might choose. The tripartite treaty between the British Government, Ranjit Singh, and Shah Shuja contained a clause guaranteeing the integrity of Herat, and on the entry of the British troops into Afghanistan, Eldred Pottinger, through whose military talents and energy the efforts of the Shah of Persia to take Herat had been defeated, was appointed Political Agent. Yar Muhammad, however, chafed under the restrictions which the British mission placed on his tyranny, more particularly on his traffic in slaves. He made secret overtures to Persia and to the Kandahar Sardars, who had taken refuge in Persia, for a league to expel Shah Shuja and the British from Kabul. Another Agent, Major D'Arcy Todd, was sent to Herat in 1839 under instructions from the envoy at Kabul to negotiate an alliance with Shah Kamran. On the 9th June 1839 Articles (No. CLI) were given to Yar Muhammad, acknowledging him as Minister of Herat and the channel of all communications with Shah Kamran; and on the 13th August a Treaty (No. CLII) of perpetual peace and friendship was concluded, the terms of which were that the British Government should abstain from interference in the internal administration of Herat, and assist Kamran with money and officers against all foreign encroachment; and that Kamran should prohibit the sale of his subjects into slavery; should refrain from entering into hostilities or political correspondence with any foreign power except with the consent of the British Government, to whose arbitration all disputes with Shah Shuja were to be referred; should employ no Europeans except subjects of Great Britain; and should facilitate trade.

Within a few weeks after the treaty was signed Yar Muhammad was detected in renewed intrigues, offering to put Herat under the protection of Persia, and urging the Shah to join in a league for the expulsion of the English from Afghanistan. His insolent treatment of the mission compelled Major Todd to withdraw, and to suspend the subsidy of Rs. 25,000 a month which was being paid to Herat. The envoy at Kabul earnestly urged the advance of a force to punish the Wazir for his treachery; but this did not meet Lord Auckland's views, who disavowed Major Todd's proceedings. Shortly afterwards the disasters occurred at Kabul which ended in the evacuation of Afghanistan. No sooner was Yar Muhammad relieved of all apprehension of the interference of the British Government than he strangled his sovereign, Shah Kamran, usurped the government of Herat, and professed himself a dependent of Persia. This was in 1842.

During the second Punjab war Dost Muhammad descended from Kabul and re-occupied the Peshawar valley, but after the final overthrow

of the Sikhs at the battle of Gujrat, the Amir fled back beyond the Khyber on the approach of the British troops. For several years thereafter there was no intercourse between the British Government and the Amir, but the Amir did not cease to incite the hill tribes on the Peshawar frontier to annoy the British Government by perpetual hostilities. In 1850 he added Balkh to his dominions. Yar Muhammad, whose policy it was to maintain himself in real independence while soothing the Shah of Persia by empty acknowledgments of allegiance, died in 1851, and was succeeded by his son, Saiyid Muhammad Khan.

In 1854 Dost Muhammad Khan, finding himself weakened by the antagonism of his brothers in Kandahar, and by the interference of Persia, deputed his son, Ghulam Haidar Khan, to Peshawar, where, in March 1855, a Treaty (No. CLIII) was concluded, stipulating that there should be peace between the British Government and the Amir; that each should respect the territories of the other; and that the friends and enemies of the British Government should be the friends and enemies of Kabul.

After the treaty had been concluded and signed, Ghulam Haidar Khan intimated that it was the intention of his father's government to send troops to occupy Dawar. This valley, together with other lands, cis and trans-Indus, had been relinquished by Shah Shuja to the Sikh Government, and after the annexation of the Punjab the British Government had a right to such tracts. But the right had never been asserted, and the Governor-General consented to the Amir's occupying Dawar on his own behalf. This, however, was never done.

Saiyid Muhammad Khan of Herat was deposed in 1855 by Muhammad Yusaf, grandson of Firoz, and grandnephew of Shah Zaman, Shah Shuja and Shah Mahmud. Thus the Sadozai family was once more restored at Herat in the person of Muhammad Yusaf. At this time Dost Muhammad, having quarrelled with his brothers, took possession of Kalat-i-Ghilzai, and soon afterwards, on the 6th January 1856, of Kandahar. His ambition however, was directed to the reduction of Herat, which he had always considered to be an integral part of the Afghan dominions. Dreading the advance of Dost Muhammad, Muhammad Yusaf threw himself on the support of Persia, declared himself to be a vassal of the Shah, and offered to issue coin and have prayers read in the Shah's name. He invited the assistance of a Persian army; but when it advanced found himself threatened both from east and west with the loss of his independence. Accordingly he hoisted the British flag at Herat and declared himself a subject of the British Government. This proceeding was repudiated by Lord Canning



in the name of the Queen's Government as a presumptuous and dishonest act. Muhammad Yusuf was soon after deposed by a faction in Herat headed by Isa Khan, and sent a prisoner to the Persian camp. The aggression of Persia on Herat, coupled with the insults which had been offered to the British mission at Tehran, led to the declaration of war between England and Persia in 1856. Measures were immediately taken to subsidise Dost Muhammad, who had consulted the British Government, and to encourage him to advance against the Persians. The result was the conclusion of an Agreement (No. CLIV) on the 26th January 1857, confirming the treaty of 1855. Stipulations were made for the payment of a subsidy by the British Government to the Amir to enable him to strengthen his frontier, and for the deputation of British officers to Kandahar during the continuance of the Persian war to see that the subsidy was appropriated to the object in view, as well as for the residence at Kabul and Peshawar respectively of a native envoy of the British and Kabul Government.

Assistance in money was also sent to Isa Khan at Herat, but before it reached him he had been compelled to surrender to the Persians, who took possession of the city on the 25th October 1856 and created him Wazir of the Province on behalf of the Shah. He was murdered within a few weeks by a party of Persian soldiers.

By the treaty\* of Paris concluded between England and Persia on the 4th March 1857, the Persians were required to evacuate Herat. Before they withdrew they installed Sultan Ahmad Khan, better known by the name of Sultan Jan, as ruler of Herat, and the British Government did not refuse to recognise him as *de facto* ruler. This Chief was a nephew and son-in-law of Dost Muhammad. On the occupation of Kandahar by the Amir he had fled to Persia, where he was well received. He was supposed to be unfriendly to the British Government, and although relieved of the presence of a Persian army, he observed all the outward forms of dependence on the Shah. In consequence of a quarrel with Muhammad Sharif Khan, the Governor of Farrah, who was one of Dost Muhammad's sons, Sultan Jan made an expedition against Farrah, which surrendered to him on the 30th March 1862. The Amir of Kabul immediately collected his forces to resent this aggression. He re-took Farrah on the 29th June, and on the 28th July laid siege to Herat. After a siege of ten months, during which Sultan Jan died, the Amir took Herat by storm on the 27th May 1863. Having thus restored the western boundary of the Sadozai dominions, Dost Muhammad died on the 9th of June following. He was succeeded in the

\* See Volume XII.

Government of Kabul by his son, Sher Ali Khan, who placed his third son, Muhammad Yakub Khan, in charge of Herat, and marched towards Kabul.

The names of the sons of Amir Dost Muhammad were as follows :—

- |   |                                                                                      |                                              |
|---|--------------------------------------------------------------------------------------|----------------------------------------------|
| { | 1. Muhammad Afzal Khan, Governor of Turkistan and Balkh.                             |                                              |
| { | 2. Muhammad Azim Khan, Governor of Kurram.                                           |                                              |
| { | 3. Sher Ali Khan, Heir designate.                                                    |                                              |
| { | 4. Muhammad Amin Khan, Governor of Kandahar.                                         |                                              |
| { | 5. Muhammad Sharif Khan, Governor of Farrah and Girishk.                             |                                              |
| { | 6. Wali Muhammad Khan, Commandant of Akedah in Turkistan, under Afzal Khan's orders. |                                              |
| { | 7. Faiz Muhammad Khan, stationed in Turkistan under Afzal Khan's orders.             |                                              |
| { | 8. Muhammad Aslam Khan, also under Afzal Khan's orders.                              |                                              |
| { | 9. Muhammad Hassan Khan.                                                             |                                              |
| { | 10. Muhammad Hussain Khan.                                                           |                                              |
| { | 11. Ahmad Khan.                                                                      | Both employed under Afzal Khan in Turkistan. |
| { | 12. Muhammad Zaman Khan.                                                             |                                              |

A struggle for power at once arose among the numerous sons left by Dost Muhammad Khan. The first to show disaffection to the government of Sher Ali Khan was his full brother, Muhammad Amin Khan. The example was followed by other brothers, and by the time the Amir reached Girishk, at the end of July 1863, the family discord was complete. Early in 1864 the Amir, who had previously been recognised by the British Government, sent an envoy, Muhammad Rajik Khan, to India to negotiate a new treaty, to apply for aid in warlike materials, and to obtain the recognition of the eldest son of the Amir, Muhammad Ali Khan, as heir-apparent. It was held that no new treaty was necessary, as the one concluded with Dost Muhammad Khan was still in force, and the envoy returned to Kabul without waiting for an answer to the other requests.

In the meantime attempts made during the winter to bring about a reconciliation between the brothers had failed, and preparations for civil strife continued in active progress. On the 20th April 1864 the Amir ordered the advance of a body of 10,000 men and ten guns under Muhammad Ali Khan towards Bamian to meet Muhammad Afzal Khan's invasion from the north. Simultaneously a second division, 6,000 strong with eight guns, led by the Amir's younger son, Muhammad Ibrahim Khan, and Muhammad Rajik Khan, moved to the southward to cope with Muhammad Azim Khan's expected insurrection in Kurram. A collision



was precipitated by the capture of the fort of Gardez on behalf of the Amir, but after one slight skirmish Muhammad Azim was abandoned by his troops and obliged to seek refuge in British territory. He was permitted to reside at Rawalpindi.

In the meantime Muhammad Afzal Khan had proclaimed himself Amir in Turkistan and marched against the heir-apparent with a force of 25,000 men. An indecisive engagement in the defiles of the Hindu Kush took place on the 3rd June 1864, and was soon followed by a reconciliation between the brothers on the basis of the restoration of Muhammad Afzal Khan to the governorship of Turkistan, which was, however, to be shorn of the three districts of Maimana, Kunduz, and Kataghan.

The promises made on this occasion were soon broken. Alarmed at the Amir's menacing language, Abdur Rahman Khan, son of Muhammad Afzal Khan, fled to Bokhara, where he was honourably received. On hearing of his flight Amir Sher Ali Khan turned all his wrath upon the father, whom he caused to be placed in irons. Fresh cause of disquietude awaited the Amir in his rear. Muhammad Sharif Khan, another brother, had been left at Kabul, but fearing lest he should fall into the hands of the Amir, he determined not to await his return, and joined Muhammad Amin Khan, who was making strenuous efforts to put Kandahar into a state of defence.

The Amir, leaving Fateh Muhammad Khan as Governor of Turkistan, commenced his return march to Kabul in October 1864, and after a short delay, caused by a rumour that the Amir of Bokhara was about to invade Afghanistan in the interests of Abdur Rahman, entered the city with his prisoner, Muhammad Afzal Khan, in the following month.

With the opening of the season of 1865 the Amir commenced preparations for securing the eastern provinces of Kurram and Khost against Muhammad Azim Khan, who had quitted British territory in March, and for crushing the more dangerous coalition at Kandahar in the south-west. It was Muhammad Azim's policy to avoid an engagement till the Amir's approaching necessity at Kandahar should give him an opportunity of action. He accordingly fled to the Waziri hills. On the 3rd June 1865 a severe action was fought at Kujhbaz between the Kabul and Kandahar forces. Muhammad Ali Khan was shot by his uncle, Muhammad Amin Khan, who was in turn killed himself. The Kandahar force was completely defeated, their camp was plundered, and Muhammad Sharif Khan fled.

While the Amir was thus engaged in hostilities at Kandahar, Abdur Rahman Khan left Bokhara with the countenance of its Amir, crossed the Oxus without resistance, and encamped at Akcha. Fateh Muhammad

Khan, the Governor of Turkistan, marched to oppose him, but his troops mutinied and he was obliged to save himself by flight. By the 12th August 1865, Abdur Rahman had made himself master of Turkistan without a blow, and proceeded to make preparations for an advance on Kabul in the name of the Amir of Bokhara.

The Turkistan disaster failed to rouse Amir Sher Ali Khan from the settled gloom which had come over him since the death of his favourite son, Muhammad Ali Khan, and he refused to leave Kandahar or take part in the management of affairs. Abdur Rahman marched without hindrance to Bamian, where he was joined by Muhammad Azim Khan. When he arrived within ten miles of Kabul negotiations were set on foot with the Amir's eldest surviving son, Muhammad Ibrahim Khan, Governor of Kabul, for the release of the State prisoners and the restoration of their property, and an armistice was agreed upon, pending the ratification of these terms by the Amir. His consent was, however, refused. Abdur Rahman advanced on Kabul from four points, and on the 3rd March 1866 Ibrahim Khan was obliged to capitulate under promise of safety and freedom for himself and all the members of the Amir's family in Kabul, while Muhammad Azim Khan was proclaimed Amir. On hearing of these events Sher Ali was at last roused to action, and on the 26th April 1866 marched from Kandahar for Kabul with an army of 14,000 men and 25 guns, Fateh Muhammad Khan being directed to make a simultaneous advance from Jalalabad. On the 10th May 1866 a severe battle was fought at Shekhabad, where Abdur Rahman's army was entrenched. Sher Ali Khan was completely defeated and fled from the field, leaving his camp and artillery in the hands of the enemy. Muhammad Afzal Khan was released from his confinement in the fort of Ghazni, entered Kabul in triumph, and was proclaimed Amir of Kabul. Throughout these events the policy of the British Government was that of strict neutrality. No aid was given to either party, and the Afghans were left to settle their own quarrels.

With his defeat at Shekhabad Sher Ali's prospects began to brighten. The tyrannical conduct of the Kabul rulers alienated their army and the principal men of note, and revolts and defections occurred on every side. Sher Ali rejected the proposal of the party in power at Kabul to leave him in peaceable possession of Herat and Kandahar, while they retained Turkistan and Kabul; he again marched on Kabul, but only to meet with another disastrous defeat near Kalat-i-Ghilzai in January 1867. He then retired to Herat, and in a few days Kandahar fell into the hands of the victors,



Muhammad Afzal Khan having thus become *de facto* ruler of Kabul and Kandahar, was recognised as such by the British Government, which also declared, in pursuance of the policy of neutrality, its determination to acknowledge Sher Ali Khan as ruler of Herat as long as he maintained himself there and preserved his friendship for the British Government. Before the action of Kalat-i-Ghilzai, Sher Ali had received the adherence of his brother Faiz Muhammad Khan, who had quitted the opposite side in disgust at being refused the Governorship of Turkistan, to which he considered himself entitled for the assistance he had rendered to Abdur Rahman on his arrival from Bokhara. To him, therefore, Sher Ali repaired on leaving Herat in May 1867. They advanced on Kabul, but after some slight successes were defeated in September of that year at Killa Alladad. Faiz Muhammad Khan was killed and Sher Ali again retired to Herat.

On the 1st October 1867 Muhammad Afzal Khan died, and was succeeded by his brother, Azim Khan, who was recognised as Amir of Kabul and Kandahar by the British Government.

Not disheartened by these frequent reverses, Sher Ali busied himself in preparations to renew the struggle. In April 1868 Kandahar fell to the forces of his son, Muhammad Yakub Khan. Later on Sher Ali himself marched on Kabul; Muhammad Azim, deserted by his troops, fled to Turkistan, and Sher Ali entered Kabul in triumph on the 8th September 1868.

The British Government regarded with satisfaction the re-establishment of a consolidated administration in Afghanistan, and, in order to strengthen the Amir's authority and enable him to meet the more pressing demands on the exhausted revenues of the country, practical assistance in the shape of a gift of six lakhs of rupees and 6,000 stand of arms was afforded to him.

In the meantime Muhammad Azim and Abdur Rahman had collected their forces and marched from Turkistan on Kabul. A decisive engagement took place at Tinah Khan on the 3rd January 1869, which resulted in a complete victory for the Amir. His opponents fled to the Waziri hills and finally reached Persia. Muhammad Azim Khan died on his way to Tehran on the 6th October 1869.

Immediately after his restoration to power, the Amir Sher Ali had expressed a wish to have an interview with the Viceroy, Sir John Lawrence. The troubles in Turkistan prevented for a time the fulfilment of this intention, but on the defeat of Muhammad Azim Khan the proposal was renewed and an interview between the Amir and the Earl of Mayo, Sir John Lawrence's successor, took place at Ambala on the 27th March 1869.

The Amir was informed on this occasion that, while the British Government had no desire to interfere in the internal affairs of Kabul, yet it would view with severe displeasure any attempt on the part of the Amir's rivals to disturb his position and re-kindle civil war. The Amir returned to Kabul on the 21st April 1869, taking with him as a further present from the British Government a sum of six lakhs of rupees, and one heavy, and one mountain, battery of artillery.

During the year 1869 the authority of the Amir remained unshaken though minor disturbances took place and discord was rife among the members of his own family. Badakhshan was during this year brought under complete control.

For some time the relations between Muhammad Yakub Khan and his father had been the reverse of cordial. Disappointed in his efforts to obtain recognition as heir-apparent, he fled from Kabul with his younger brother, Muhammad Ayub Khan, in September 1870, and marched with a few troops on Ghazni. Finding the gates closed, he invested Kandahar, but was repulsed, and at Girishk was equally unsuccessful. He then retired to the Seistan border. Here negotiations for a reconciliation were commenced, but were broken off by the arrival of an army from Kabul to act against him. Yakub Khan took to flight, and during the early part of 1871 wandered about the Seistan border, committing raids, and intriguing equally with the Persian authorities and the officials of the Amir. In April 1871, having collected a considerable force, he laid siege to Herat, which fell on the 6th May following. The Chiefs of that province, through whose assistance and treachery he had obtained possession of the city, assumed the whole power and control of the finances, and Yakub Khan found his position as ruler, and his ability to reward his followers, merely nominal. Under these circumstances he proceeded to Kabul, and was with some difficulty reconciled to his father, who appointed him Governor of Herat, subject to the general control of trusted officials from Kabul. The check exercised by them was but slight, and Yakub Khan retained all the real power, though much hampered by the impoverished state of the province. The reconciliation between father and son was not sincere, and reports of Muhammad Yakub Khan's intrigues and of the measures he was adopting for strengthening his position at Herat were a constant source of displeasure to the Amir. The estrangement on the son's side was completed by the formal nomination of Abdulla Khan, the youngest son of the Amir, as heir-apparent in November 1873. No actual rupture, however, occurred. Yakub Khan's main object now was to secure for himself the independent



government of Herat and funds for carrying on the administration. With this view he suddenly resolved on a visit to Kabul. Before doing so he stipulated that he should retain Herat, should not be detained at Kabul more than ten days, nor be compelled to wait on or see the heir-apparent, and should be allowed to take back with him all his adherents. These stipulations were agreed to by the Amir's agents, Asmatulla Khan and Arsala Khan Ghilzai, who had proceeded to Herat to conduct Yakub Khan to Kabul. On his arrival on the 1st November 1874 he was treated ostensibly with kindness, but discussions as to the policy to be observed towards him took place in the Amir's Council, and resulted in his being placed under surveillance, the alleged reason being the Amir's fear that he would make over Herat to Persia. Muhammad Ayub Khan, who had been left by Yakub Khan at Herat, retaliated by imprisoning some of the Amir's officials at Herat, and made preparations for the defence of the city against the troops which the Amir had sent after his son's arrest to take possession of it. Herat, however, fell without resistance, and Ayub Khan, deserted by his followers, was compelled to take refuge in Persia.

For many years the title to the possession of Seistan had been in dispute between Persia and Afghanistan, and Persia had more than once invited the interference of the British Government, notably so at the time of the Amir Dost Muhammad Khan's recovery of Herat in 1863. At that juncture the British Government was not prepared to interfere, and the Persian Government was informed that it must be left to both parties to make good their possession by force of arms. As Persia was bound by Article 6 of the Treaty of 1857 (see Vol. XII) not to take up arms against Afghanistan without first inviting the friendly offices of the British Government, the effect of this refusal to interfere was to authorise an appeal to arms. Since then the Persians had occupied a considerable portion of Seistan. Consequently disturbances and raids on both sides of the border took place, which were most injurious to the prosperity of the country and to the subjects of both the claimants inhabiting the neighbouring provinces. At length both governments agreed to refer the question of the sovereignty and boundaries of the whole of Seistan on both sides of the river Helmand to the arbitration of the British Government, on the understanding that both ancient right and recent possession were to be taken into consideration. It was also agreed that the final decision of the British Government should be binding on both parties.

Accordingly, in the spring of 1872, commissioners on behalf of the parties concerned and the British Government assembled in Seistan



examined the lands in dispute, and heard the evidence produced on both sides. An award \* was finally pronounced by Major-General Goldsmid, the chief of the mission, which, after some demur, was eventually accepted by Persia and Afghanistan and confirmed by the British Government. (See Persia, Vol. XII.)

From this period the relations between the Amir Sher Ali and the British Government became gradually more and more cold and constrained. In the course of 1878 matters came to a crisis. In July of that year a Russian mission was honourably received in Kabul. The Government of India thought it necessary to insist upon a similar reception being accorded to a British mission, and preparations were accordingly made for the despatch of a party of British and native officers of rank, but on the 21st September 1878, by the Amir's orders, his officers at Ali Masjid refused to allow the British envoy to travel through the Khyber pass.

In spite of this public affront it was still deemed desirable, before proceeding to extremities, to give Sher Ali a *locus penitentiæ*. An ultimatum was accordingly addressed to him, threatening him with war unless, by the 20th November, he signified his willingness to comply with the demands of the British Government. No answer having been received by the prescribed date, British troops crossed the frontier on the 21st November by three main lines of advance, *vis.*, *viâ* Kandahar, the Kurram, and the Khyber.

The Afghans were everywhere defeated, the principal action of the campaign being fought at the Paiwar Kotal on the 2nd December. Shortly after this engagement Sher Ali, with the remaining members of the Russian

\* The substance of General Goldsmid's arbitral award is as follows :—

That Seistan proper, by which is meant the tract of country which the Hamun on three of its sides and the Helmand on the fourth cause to resemble an island, should be included by a special boundary line within the limits of Persia ; that Persia should not possess land on the right of the Helmand ; that the fort of Nad Ali should be evacuated by Persian garrisons, and the banks of the Helmand above the Kohak bund given up to Afghanistan ; that the main bed of the Helmand below Kohak should be the eastern boundary of Persian Seistan ; and that the line of frontier to the hills south of the Seistan desert should be so drawn as to include within the Afghan limits all cultivation on both banks of the river from the bund upwards, the Malik Siah Koh on the chain of hills separating the Seistan from the Kirman desert appearing to be a fitting point ; that north of Seistan the southern limit of the Naizar should be the frontier towards Lash Jawain ; that Persia should not cross the Hamun in that direction, her possession being clearly defined by a line to be drawn from the Naizar to the Koh Siah hill near Bandan ; finally, that no works were to be carried out on either side calculated to interfere with the requisite supply of water for irrigation on both banks of the Helmand.



mission, fled from his capital towards Turkistan, leaving his son, Yakub Khan, as regent at Kabul.

Communications passed between Yakub and the British officers, but the British troops continued to advance till, towards the end of January 1879, they were in military occupation of a great part of Afghanistan.

News having been received that Sher Ali had died at Mazar-i-Sharif on the 21st February 1879, negotiations were opened with Yakub Khan, which ended in the Treaty of Gandamak (No. CLV), signed on the 26th May. This provided, amongst other things, that the districts of Kurram, Sibi, and Pishin should be assigned districts, and should remain under British administration, any surplus of revenue over expenditure being handed over to the Amir. It was also arranged that the British Government should retain the control of the Khyber and Michni passes, and of all relations with the independent tribes inhabiting the territory directly connected with those passes.

Article 4 of the treaty further provided for the residence at Kabul of a British Agent, and Sir Louis Cavagnari, accompanied by British officers and a suitable escort, was appointed to this post. He held it till the lamentable outbreak of the 3rd September 1879, when he and nearly all the Residency staff and establishment were massacred by the mutinous regiments in the Amir's service.

The British forces were once more put in motion to avenge this outrage, and before the close of October were again in military occupation of a great part of Afghanistan. Yakub Khan, having voluntarily abdicated after this signal proof of his inability to control his own rebellious subjects, the British Government undertook the task of establishing some stable administration in the country.

After full consideration it was deemed advisable to erect Kandahar and its dependencies into a separate principality, of which Sardar Sher Ali, a Barakzai of Kandahar, was recognised as the Wali or Chief. No special arrangements were necessary for Herat, where Ayub Khan, brother of the ex-Amir, and Governor of that province during his short reign, still maintained himself in power. It was determined to retain Kabul itself temporarily under direct British administration, until its future government could be settled on some basis which should have a reasonable prospect of finality.

In the spring of 1880 Abdur Rahman Khan, who had long been a refugee in Russian territory, made his appearance, with a considerable body of followers, in Afghan Turkistan, where he was cordially welcomed by the



leading Chiefs, and succeeded in establishing his authority on the northern side of the Hindu Kush. This Sardar had a few adherents of note in Afghanistan proper, more especially in Kohistan, and from his known character and reputation for ability, there seemed reason to believe that he might, with the countenance of the British Government, be able to establish himself more firmly on the throne of Kabul than any of the other possible candidates for the Amirship. Negotiations were accordingly entered into with him, and, though he made at first some attempts to raise the country and to assert his position as Amir of Afghanistan in his own right, he readily accepted the position offered to him by the Government of India, namely, that of Amir of Kabul, the Kandahar province being severed from Kabul and made into a separate principality. Matters having been satisfactorily settled, he was formally recognised as Amir at a Darbar held at Kabul on the 22nd July 1880. On the 31st July and the following day a conference was held at Zimma, at which the wishes and intentions of the British Government were fully explained to him. No formal treaty was drawn up, but it was understood that he was to be assisted with arms and money by the Government of India to such an extent as might appear to them to be necessary; that he was to be recognised by them as Amir of Kabul and its dependencies; that he might take such measures as he pleased to bring Herat under his control, but was not to interfere with the Wali of Kandahar; that Pishin, Sibi, and Kurram were to be no longer regarded as part of Afghanistan; that the British Government were to control the Michni and Khyber passes and all relations with the independent hill tribes in the territory directly attached thereto; and that the foreign relations of Kabul were henceforth to be conducted subject to the approval of the Government of India. No mention was made at the time of Khost, but at the Amir's request, he was allowed a few months later to take possession of the district.

The Amir arrived at Kabul on the 11th August 1880, and the same day, after a cordial farewell interview between His Highness and the Chief British officials, the last of the British troops evacuated Kabul and returned direct to Peshawar by the Khyber route. A strong division had started a few days previously to march through Ghazni and Kalat-i-Ghilzai to Kandahar, which was at this time invested by Ayub Khan with an army from Herat.

Ayub, after much vacillation and prolonged preparation, had started from Herat in the preceding June with the intention of annexing Kandahar to his own principality. On the 27th July he met and defeated at Maiwand



The Amir Abdur Rahman Khan died at Kabul on the 3rd October 1901, and his death was immediately followed by the peaceable accession of his eldest son, Sardar Habibulla Khan. Soon after his accession to the throne Habibulla Khan introduced several measures of internal reform, notably the reduction of taxation. He also paid much attention to military organisation.

About this time, land and water disputes between the Persians and Afghans in Seistan began to cause anxiety. The boundary defined by Sir Frederick Goldsmid's award in 1872 was mainly based on natural features, and for a long distance was declared to follow the course of the river Helmand and the margin of the lagoon into which that river poured its waters. During the succeeding thirty years the Helmand had changed its bed to the west, and the lagoon had assumed a new position. Disputes had from time to time arisen; but till 1901 they had yielded to local settlement. In 1902, however, the position had become acute, and on the 24th July 1902, the Persian Government invoked the good offices of the British Government under the Treaty of 1857 (See Vol. XII). The Amir agreed to arbitration by the British Government, and Colonel McMahon was nominated as British commissioner. The mission started from Quetta on the 10th January 1903, and arrived on the Seistan border in the following month, having been joined on the way by the Afghan commissioner; and on the 16th March 1903, Colonel McMahon entered Persian Seistan, and for the first time came into direct communication with the Persian commissioners. Meanwhile the survey of the whole disputed area was being pushed on, and in November 1903, Colonel McMahon formally delivered his boundary award to the Persian and Afghan commissioners. Some delay ensued, but eventually the award was accepted by the Afghan and Persian Governments, and the line from Koh-i-Malik Siah to the Siah Koh was demarcated by pillars along its entire length at the end of December 1904. On the 20th February 1905, Colonel McMahon formally delivered to the Persian and Afghan commissioners the final maps and arbitral statements (No. CLXIX) relating to the Seistan boundary, as also the detailed list of the boundary pillars showing the position and nature of each pillar.

The full investigations which had been made during the long stay in Seistan had enabled Colonel McMahon to mature his views regarding the irrigation rights of both Persia and Afghanistan, and the boundary question having been settled, he now called upon the Persian and Afghan commissioners to submit the statements of their cases in respect of these rights, and after consideration of their respective representations, he delivered his water

award on the 10th April 1905 (No. CLXX). The Amir accepted the arbitral decision with one reservation; but the Persian Government had not notified its acceptance up to the end of June 1906.

In the latter part of the year 1904, during the Viceroyalty of Lord Ampthill, Mr. (now Sir) L. W. Dane, Foreign Secretary to the Government of India, was sent on a mission to Kabul. Leaving Peshawar on the 26th November, Mr. Dane reached Kabul on the 12th December, and there on the 21st March 1905 he concluded, on behalf of the British Government, a Treaty (No. CLXXI) with the Amir Habibulla Khan, continuing the agreements which had existed between the British Government and the late Amir, Abdur Rahman Khan. The treaty was signed during the administration of Lord Curzon, who had returned to India to resume the Viceroyalty in December 1904.

In December 1904 Amir Habibulla Khan, deputed his eldest son, Sardar Inayatulla Khan, to India to pay a visit to the Viceroy. Lord Curzon received the Sardar at Calcutta, and the latter went back to Kabul in January 1905 much pleased with his visit to India.



" (2) Afghan Turkistan, comprising the districts of Kunduz, Khulm, and Balkh, the northern boundary of which would be the line of the Oxus from the junction of the Kokcha river to the post of Khoja Saleh inclusive, on the highroad from Bokhara to Balkh. Nothing to be claimed by the Afghan Amir on the left bank of the Oxus below Khoja Saleh.

" (3) The internal districts of Akcha, Siripool, Maimena, Shibbergan and Andkoi, the latter of which would be the extreme Afghan frontier possession to the north-west, the desert beyond belonging to independent tribes of Turcomans.

" (4) The Western Afghan frontier between the dependencies of Herat and those of the Persian Province of Khorasan is well known and need not here be defined."

Prince Gortchakoff, on behalf of his Government, questioned whether the Amir exercised actual sovereignty over Wakhan and Badakhshan. In regard to the north-western boundary he stated that the Russian information threw doubt upon the Afghan possession of Akcha, Sar-i-pul, Maimana, Shibarghan and Andkhui, but added that if the English Government adhered to its opinion as to the expediency of including these places in Afghan territory, Russia would be disposed, as far as this portion of the boundary was concerned, to accept the line laid down by the British Government.

In January 1873 the British Government again represented the grounds on which they based their contention, and this elicited a reply from Prince Gortchakoff that while, according to Russian views, Badakhshan and Wakhan still enjoyed a certain degree of independence, yet, as it was not desired to attach too great an importance to this detail, "we do not refuse to accept the line of boundary laid down by England."

This somewhat vague settlement, historically known as the Clarendon-Gortchakoff Agreement of 1872-73, was concluded without any reference to the Amir.

During the next seven or eight years, the Russian Government continued to advance slowly but unceasingly from the Caspian in the direction of Merv, and frequent reports were received of their occupation of that place. Accordingly, in February 1882, Earl Granville suggested the demarcation of the Russo-Persian frontier from Baba Durmaz to the point where the Russian frontier meets that of Afghanistan in the vicinity of the Hari Rud, and he threw out a suggestion that something might be done with regard to the adjacent Afghan frontier, certain details of which had been left unsettled by the Clarendon-Gortchakoff Agreement. Numerous



communications passed between the two governments, but without decisive result, until in February 1884, while the question was still under consideration, official information was received that the Merv Turkmans had made their submission to Russia, and that the Czar had determined to accept them as his subjects. Upon this a memorandum was despatched to the British Ambassador at St. Petersburg to communicate to the Russian Government, in which it was observed that the occupation of Merv seemed entirely inconsistent with the hitherto uniform assurances of the Russian Government that they had no intention of occupying the place.

In their reply (March 1884), the Russian Government, after explaining their action in this connection, added that if the British Government should find it useful and practicable to complete the arrangements previously concluded between the two governments by a more exact definition of the countries separating the Russian possessions from Afghanistan, Russia could only repeat its proposal of 1882, to continue from Khoja Saleh westward the line of demarcation agreed upon in 1872-73.

The British Government accepted this proposal (29th April 1884) and suggested the appointment of a joint commission, to commence operations in the ensuing autumn.

Considerable correspondence ensued as to the point from which the commission should commence its labours; the basis of the delimitation; and the principles upon which the instructions to the commission should be framed. Eventually it was arranged that General Sir Peter Lumsden, the British commissioner, and General Zelenoi, the Russian commissioner, should meet at Sarakhs about the 13th October (1884).

Sir Peter Lumsden duly arrived from England on the frontier and joined his escort which had been sent to meet him from India. But it now appeared that there were difficulties in the way of the demarcation. First, news was received that the Russian commissioner was ill and unable to start, and then the Russian Government took exception to Sarakhs as the place of meeting, suggesting Pul-i-Khatun or some other spot south of Sarakhs. Next, a proposal was put forward that a zone should be agreed upon between the two governments, within which the commissioners should be instructed to limit their explorations.

Meantime winter was coming on apace; and the Russians had already advanced on and occupied Pul-i-Khatun on the Hari Rud and Pul-i-Khishti on the Murghab. Shortly before this, Afghan troops had occupied Panjoh and the Russian Ambassador had called the very serious attention of the British Government to the fact.



The British commission had now (December 1884) settled down in winter quarters at Bala Murghab, and the Russians intimated that there would be still further delay in the arrival of their commissioner. The question of the zone of enquiry was still being discussed in England, when, on the 30th of March 1885, a Russian force attacked and defeated a considerable Afghan force at Pul-i-Khishti near Panjdeh. The British commission, which was camped a few miles from the scene of conflict, immediately retired to Tirpul on the Hari Rud. At this critical moment, the Amir was in India on his visit to the Viceroy at Rawalpindi. War was averted, and negotiations were resumed in London. Sir Peter Lumsden was summoned to England to help in the negotiations there, and the charge of the mission devolved upon Colonel Sir West Ridgeway. It was not, however, until the 10th of the following September that final arrangements for the demarcation were agreed to between the two governments. A copy of the Protocol (No. CLVI) signed on that occasion is appended.

Two months later on the 10th of November the joint commission met as arranged at Zulfikar. The work of demarcation was started immediately, and good progress had been made when a severe winter drove both parties into winter quarters shortly after Christmas.

Work was resumed on the 12th of March 1886, and by the 18th of June the frontier was definitely fixed, and pillars were constructed from Zulfikar on the Hari Rud to the meridian of Dukchi, a group of wells north of Andkhui and within 40 miles of the Oxus.

Unfortunately the joint commission found it impossible to come to an agreement as to the spot at which the frontier line should enter the cultivated tracts in the vicinity of the river, or actually meet the river. It is true that all the old papers bearing on the subject had spoken of Khoja Saleh being the frontier, but no place on the river could now be found which both sides would admit to be the Khoja Saleh of the agreement of 1872-73. Accordingly, the commission dissolved itself at Khamiab at the beginning of September 1886, and the British party returned to India *via* Kabul, where they were honourably entertained by the Amir for about a week.

The frontier line agreed to up to Dukchi is described in a Protocol (No. CLVII) signed by the joint commissioners at Khamiab on the 1st September 1886.

In the following year Sir West Ridgeway was deputed to St. Petersburg to resume negotiations for the completion of the unsettled part of the boundary. Several meetings took place between the British commissioner and Privy Councillor Zinovieff and M. Lessar, and eventually a settlement was



arrived at by mutual concessions. Afghanistan restored to the Sarik Turkmans most of the land of which they had been deprived between the Khushk and Murghab rivers, and Russia withdrew her claims to all the districts then in possession of the Afghans on the Oxus, and to the wells and pastures necessary for the prosperity of the Uzbeks of Afghan Turkistan.

A copy of the final protocol, dated the <sup>10th</sup>~~22nd~~ July 1887, embodying this settlement is annexed (No. CLVIII).

In January 1888 Majors Yate and Peacocke completed the demarcation of the revised portion of the frontier between the Khushk and the Murghab and between Dukchi and the Oxus. A description of the line of pillars is given in an Appendix.\*

While the British commission was in the vicinity of Herat a local dispute regarding the boundary between Persia and Afghanistan in the Hash-tadan valley was brought to notice. The locality, which is not far from Kuhsan, was visited and the conflicting claims were mapped. After protracted correspondence both His Majesty the Shah and His Highness the Amir consented to refer the question to the decision of the Viceroy upon the report of Major-General MacLean, the Agent to the Governor-General for Khorasan. General MacLean proposed a compromise which was accepted by both sides and duly carried into effect by demarcation on the spot during the months of March, April, and May 1891. The synopsis of boundary pillars demarcating the line as finally determined is given as an Appendix.†

In 1883 Amir Abdur Rahman Khan received an annual subsidy of twelve lakhs of rupees from the Government of India; and in 1885 was appointed an Honorary Knight Grand Commander of the Star of India.

Complaints having been made by the Russian Government in 1891 and 1892 about the irrigation by the Afghans of lands on the left bank of the Kushk, by canals taking off from that stream, in contravention of the terms of the Afghan Boundary Commission Protocol of the 22nd July 1887, the Government of India addressed the Amir of Afghanistan in the matter. He denied having authorised his subjects to depart in any way from the terms of the protocol of 1887, and suggested that a joint enquiry should be held on the spot by a British officer and a Russian and an Afghan representative, with a view to ascertain which side had perpetrated a breach of the agreement. The British Government thereupon addressed the Russian Government proposing a joint enquiry on the spot by a Russian and Afghan

\* Appendix No. VIII.

† Appendix No. IX.



representative and a British officer. The Russian Government agreed to the proposal on the condition that immediate effect should be given to the commission's award in the presence of the commissioners. Lieutenant-Colonel C. E. Yate was deputed to the Kushk valley as British commissioner. The Russian Government appointed M. Ignatiev as its commissioner. These commissioners along with the Amir's representative held a local enquiry. The proceedings of the joint commission were recorded in six protocols. The first protocol\* recorded the result of the inspection of the locality by the joint commissioners, and the sixth protocol (No. CLIX) recorded the settlement arrived at by the joint commissioners. Effect was given on the spot to the decision of the joint commission.

In 1893 Lord Lansdowne sent his Foreign Secretary, Sir Mortimer Durand, on a mission to Kabul. For some time past communications had been going on between the British and Russian Governments regarding the British and Russian spheres of influence on the Pamirs, and about the Clarendon-Gortchakoff agreement of 1872-1873, making the river Oxus the north-eastern boundary of Afghanistan up to Lake Victoria (Sarikul). This boundary had been fixed at the time of the agreement on insufficient information, and it had subsequently been discovered that Shighnan and Roshan, portions of which lie to the north of the Oxus, formed part of Badakshan, a province belonging to the Amir of Afghanistan, while the district of Darwaz, the greater portion of which lies to the south of the river, was tributary to Bokhara. Russia had, however, claimed the literal fulfilment of the agreement of 1872-73, and in order to explain clearly to the Amir the terms of this agreement, and the extent of the Russian claim, which involved His Highness's withdrawal from trans-Oxus Shighnan and Roshan, it had become necessary to depute a British officer to Kabul. Sir Mortimer Durand was informed by the Government of India that the settlement of this question was to be his primary duty, but he was instructed at the same time to endeavour to come to an amicable understanding in regard to the Indo-Afghan frontier about which the Amir had at various times had differences of opinion with the Government of India. Sir Mortimer Durand's negotiations with the Amir, Abdur Rahman Khan, resulted in the conclusion of two Agreements (Nos. CLX and CLXI) both dated the 12th November 1893, between the British Government and His Highness. By one of these agreements the Amir bound himself to abandon all districts not then held by him to the north of the upper Oxus, on condition of his receiving in

\* Appendix No. X.



exchange all the districts not then held by him to the south of this part of the river. By the other agreement a thoroughly friendly understanding was arrived at as regards the Indo-Afghan frontier. The Amir retained Asmar and was given the Birmal valley. Also, to mark their sense of the friendly spirit in which the Amir had entered into the negotiations, the Government of India raised his subsidy to eighteen lakhs of rupees a year; granted him full permission to import munitions of war, and promised him some help in this respect as a gift. On the other hand, the Amir agreed that the eastern and southern frontiers of his dominions, from Wakhan to the Persian border, should follow the line shown in the map attached to the agreement, and that he would at no time exercise interference in Swat, Bajour, or Chitral. His Highness also relinquished his claim to Chageh.

Besides the two above agreements the Amir received from Sir Mortimer Durand a letter dated the 11th November 1893 (No. CLXII), informing him that the assurance given to him by the British Government in regard to his territory, when he had come to the throne in 1880, remained still in force and was applicable to any territory which might come into his possession in consequence of his agreement with the British Government regarding the upper Oxus frontier.

The work of demarcation of the Indo-Afghan frontier as defined in the agreement of the 12th November 1893 was divided into sections, and was carried out for the most part by joint commissions during the years 1894-1896, the only portion of the frontier remaining undemarcated being a small section in the vicinity of the Mohmand country and the Khyber. The Afghan-Waziristan boundary from Domandi to Laram was demarcated by British officers at the special request of the Amir.

The agreement regarding the Afghan Kurram frontier was concluded on the 21st November 1894 (No. CLXIII) between Mr. J. Donald and Sardar Shirindil Khan, the joint British and Afghan commissioners. It was ratified by the Amir in April 1895.

An agreement dated the 9th April 1895 (No. CLXIV) concluded by Mr. Udny and the Amir's General, Ghulam Haidar Khan, joint British and Afghan commissioners, defined the boundary line from the Hindu Kush to the neighbourhood of Nawa Kotal. This agreement was ratified by the Amir in December 1895.

The Afghan-Baluch boundary from Domandi to the Persian border was demarcated by Captain McMahon, on the part of the Government of India and by Sardar Gul Muhammad Khan on the part of Afghanistan.



Agreements 1 to 4 were executed in 1894 by Captain McMahon and his colleague, recording the boundary westwards from Domandi. In agreements 5 and 6 executed by the same joint commissioners was defined the boundary line from the last pillar agreed upon in agreement 4 up to Chaman. And the final agreement, dated the 26th February 1895 (No. CLXV), signed by the abovenamed joint commissioners, embodied the previous agreements 1 to 6. This agreement was ratified by the Amir Abdur Rahman Khan on the 18th July 1895.

In an agreement dated the 13th May 1896 (No. CLXVI), executed by Captain McMahon and Sardar Muhammad Umar Khan, was recorded the Baluch-Afghan boundary westward from Chaman to the Persian border. The agreement was ratified by the Amir in November 1896.

In 1895 the Amir deputed his second son, Shahzada Nasrulla Khan, to pay his respects to Her Majesty the Queen-Empress, the Amir's own state of health having prevented him from undertaking a journey to England in person. Leaving Bombay on the 29th April the Shahzada arrived in England on the 23rd May. He was received by Her Majesty the Queen at Windsor on the 27th May. The Shahzada left England on the 3rd September, and after visiting Paris, Rome, and Naples arrived at Karachi on the 16th October 1895. He returned to Kabul *via* Chaman and Kandahar.

About this time the dignity of Knight Grand Cross of St. Michael and St. George was conferred upon Sardar Habibulla Khan (the present Amir), as well as upon his younger brother Sardar Nasrulla Khan.

On the 11th March 1895, after prolonged negotiations, Notes (Nos. CLXVII and CLXVIII) were exchanged between the British and Russian Governments concluding an agreement in regard to the spheres of influence of Great Britain and Russia on the Pamirs, and the demarcation of the boundary line by a joint commission composed of British and Russian delegates. The Amir being informed by the Government of India of the terms of the agreement expressed his pleasure at the settlement.

The British commission under Major-General M. G. Gerard marched on the 22nd June from Bandipur north of the Wulur lake in Kashmir, and joined hands with the Russian commission under Major-General Povalov-Schveikovski at Lake Sarikul (Lake Victoria) on the 22nd July 1895, exactly one month after leaving Bandipur. On the 28th July the first pillar was erected at the eastern end of Lake Sarikul; and before the middle of August the line had been demarcated as far as the Orta Bel Pass. The commissioners decided that Lake Sarikul should henceforth be known by the British as well as by the Russians as "Lake Victoria,"



the range to the south as the "Chaine de l'Empereur Nicholas II," and the peak nearest to the lake as "Pie de la concorde." Difficulties, however, arose regarding the line from the Orta Bel onwards. It appears that while the latitude of Lake Victoria on hitherto existing maps had been rightly shown as  $37^{\circ} 27'$ , the positions assigned to Kizil Robat, the Orta Bel, and Baiyik passes were inaccurate and about 6' south of their true positions. Under these circumstances General Gerard found it impossible to adhere strictly to the terms of the Anglo-Russian Agreement and recommended the acceptance of a line proposed by the Russians, running southwards to the watershed of the Taghdumbash, which the Russians acknowledged to be the Chinese frontier. This line was considered by General Gerard to be the only natural frontier south of the latitude of Lake Victoria. General Gerard was empowered to accept this line, and the sites of the final pillars were fixed accordingly. The final protocol was signed on the 10th September 1895. The joint commission then dissolved on the 13th September 1895.

The settlement arrived at by the joint commission as regards the boundary was recorded in ten protocols. A synopsis of the pillars erected by this settlement is appended.\*

The Amir was furnished by the Government of India with copies of the map signed by General Gerard and General Povalov-Schveikovski, together with a description† of the demarcated line showing the boundary of Afghanistan in the direction of Wakhan and the Pamirs.

In accordance with the terms of the Anglo-Russian agreement of the 11th March 1895, Bokhara evacuated cis-Oxus Darwaz in October 1896. The Amir had retired from trans-Oxus Shighnan and Roshan in 1894.

By the agreement arrived at by the Pamir Boundary Commission eastern Wakhan was formally acknowledged by Russia as forming part of the territories of the Amir of Afghanistan. To enable the Amir to carry on properly the administration of this strip of country the Government of India granted him an additional subsidy of Rs. 50,000 a year, with effect from the 1st March 1897.

In 1896 the Amir Abdur Rahman Khan conquered and annexed to his dominions Kafiristan, an independent tract of country lying to the south of Badakhshan which had never been subjugated before by any ruler of Afghanistan. The same year saw the assumption by His Highness of the title of "Zia-ul-millat-wad-din" (Light of the Nation and Religion).

\* Appendix No. XI.

† Appendix No. XII.



The Amir Abdur Rahman Khan died at Kabul on the 3rd October 1901, and his death was immediately followed by the peaceable accession of his eldest son, Sardar Habibulla Khan. Soon after his accession to the throne Habibulla Khan introduced several measures of internal reform, notably the reduction of taxation. He also paid much attention to military organisation.

About this time, land and water disputes between the Persians and Afghans in Seistan began to cause anxiety. The boundary defined by Sir Frederick Goldsmid's award in 1872 was mainly based on natural features, and for a long distance was declared to follow the course of the river Helmand and the margin of the lagoon into which that river poured its waters. During the succeeding thirty years the Helmand had changed its bed to the west, and the lagoon had assumed a new position. Disputes had from time to time arisen; but till 1901 they had yielded to local settlement. In 1902, however, the position had become acute, and on the 24th July 1902, the Persian Government invoked the good offices of the British Government under the Treaty of 1857 (See Vol. XII). The Amir agreed to arbitration by the British Government, and Colonel McMahon was nominated as British commissioner. The mission started from Quetta on the 10th January 1903, and arrived on the Seistan border in the following month, having been joined on the way by the Afghan commissioner; and on the 16th March 1903, Colonel McMahon entered Persian Seistan, and for the first time came into direct communication with the Persian commissioners. Meanwhile the survey of the whole disputed area was being pushed on, and in November 1903, Colonel McMahon formally delivered his boundary award to the Persian and Afghan commissioners. Some delay ensued, but eventually the award was accepted by the Afghan and Persian Governments, and the line from Koh-i-Malik Siah to the Siah Koh was demarcated by pillars along its entire length at the end of December 1904. On the 20th February 1905, Colonel McMahon formally delivered to the Persian and Afghan commissioners the final maps and arbitral statements (No. CLXIX) relating to the Seistan boundary, as also the detailed list of the boundary pillars showing the position and nature of each pillar.

The full investigations which had been made during the long stay in Seistan had enabled Colonel McMahon to mature his views regarding the irrigation rights of both Persia and Afghanistan, and the boundary question having been settled, he now called upon the Persian and Afghan commissioners to submit the statements of their cases in respect of these rights, and after consideration of their respective representations, he delivered his water

award on the 10th April 1905 (No. CLXX). The Amir accepted the arbitral decision with one reservation; but the Persian Government had not notified its acceptance up to the end of June 1906.

In the latter part of the year 1904, during the Viceroyalty of Lord Ampthill, Mr. (now Sir) L. W. Dane, Foreign Secretary to the Government of India, was sent on a mission to Kabul. Leaving Peshawar on the 26th November, Mr. Dane reached Kabul on the 12th December, and there on the 21st March 1905 he concluded, on behalf of the British Government, a Treaty (No. CLXXI) with the Amir Habibulla Khan, continuing the agreements which had existed between the British Government and the late Amir, Abdur Rahman Khan. The treaty was signed during the administration of Lord Curzon, who had returned to India to resume the Viceroyalty in December 1904.

In December 1904 Amir Habibulla Khan, deputed his eldest son, Sardar Inayatulla Khan, to India to pay a visit to the Viceroy. Lord Curzon received the Sardar at Calcutta, and the latter went back to Kabul in January 1905 much pleased with his visit to India.

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## No. CL.

TRANSLATION of the TREATY with the KING of CABOOL, ratified  
on the 17th June 1809.

Whereas in consequence of the confederacy with the State of Persia, projected by the French for the purpose of invading the dominions of His Majesty the King of the Dooranees, and ultimately those of the British Government in India, the Hon'ble Mountstuart Elphinstone was despatched to the Court of His Majesty in quality of Envoy Plenipotentiary on the part of the Right Hon'ble Lord Minto, Governor-General, exercising the supreme authority over all affairs, civil, political, and military in the British possessions in the East Indies, for the purpose of concerting with His Majesty's Ministers the means of mutual defence against the expected invasion of the French and Persians, and whereas the said Ambassador having had the honor of being presented to His Majesty, and of explaining the friendly and beneficial object of his mission, His Majesty, sensible of the advantages of alliance and co-operation between the two States, for the purpose above described, directed his Ministers to confer with the Hon'ble Mountstuart Elphinstone and consulting the welfare of both States to conclude a friendly alliance, and certain Articles of Treaty having accordingly been agreed to between His Majesty's Ministers and the British Ambassador, and confirmed by the Royal Signet, a copy of the Treaty so framed has been transmitted by the Ambassador for the ratification of the Governor-General, who consenting to the stipulations therein contained without variation, a copy of those Articles as hereunder written is now returned, duly ratified by the seal and signature of the Governor-General and the signatures of the Members of the British Government in India, and the obligations upon both Governments both now and for ever shall be exclusively regulated and determined by the tenor of those Articles, which are as follows :—

## ARTICLE 1ST.

As the French and Persians have entered into a confederacy against the State of Cabool, if they should wish to pass through the King's dominions, the servants of the Heavenly Throne shall prevent their passage, and exerting themselves to the extent of their power in making war on them and repelling them, shall not permit them to cross into British India.

## ARTICLE 2ND.

If the French and Persians in pursuance of their confederacy should advance towards the King of Cabool's country in a hostile manner, the British State, endeavouring heartily to repel them, shall hold themselves liable to afford the expenses necessary for the above-mentioned service to the extent of their ability. While the confederacy between the French

and Persians continues in force, these Articles shall be in force and be acted on by both parties.

ARTICLE 3RD.

Friendship and union shall continue for ever between these two States, the veil of separation shall be lifted up from between them, and they shall in no manner interfere in each other's countries, and the King of Cabool shall permit no individual of the French to enter his territories.

The faithful servants of both States having agreed to this Treaty, the conditions of confirmation and ratification have been performed, and this document has been sealed and signed by the Right Hon'ble the Governor-General and the Honorable the Members of the Supreme British Government in India, this 17th day of June 1809, answering to the 1224 of the Hijree.

No. CLI.

TRANSLATION of a MEMORANDUM of certain wishes and expectations of VIZIER YAR MAHOMED KHAN agreed to at CANDAHAR, on the 9th of June 1839, between MAJOR TODD, with the sanction of the ENVOY and MINISTER at the COURT of HIS MAJESTY SHAH SUJA-OOO-MOOLK, on the part of the RIGHT HONORABLE the GOVERNOR-GENERAL, and NUJEEB OOLAH KHAN, ENVOY from HERAT, on the part OF VIZIER YAR MAHOMED KHAN.

ARTICLE 1.

That the high in rank, etc., Yar Mahomed Khan, vizier of His Majesty Shah Kamran of Herat, shall henceforth be recognised as the vakeel or medium of communication between the British and Herat authorities, and whoever shall disregard the vizier's authority in this respect shall be considered as having acted contrary to the laws of friendship and the Treaty of amity.

ARTICLE 2.

Whatever sums may be expended at Herat by the British Government in restoring the prosperity of the country or for other purposes shall be paid in the first instance to the vizier Yar Mahomed Khan, who engages not to disburse the sum except in the presence, or with the consent and advice, of the British Political Officer at Herat.

ARTICLE 3.

The vizier engages not to act in any matter contrary to the wishes and advice of the British Political Officer at Herat, and will be guided in all that



concerns the welfare of the two States by the counsel of the above-mentioned officer ; and should the British Agent interfere in the affairs of Herat without the knowledge and consent of the vizier, he shall be considered as endeavouring to disturb the friendship between the two States.

#### ARTICLE 4.

That the British Agent at Herat shall not, without the consent of the vizier, entertain as servants a greater number than one hundred of the people of Afghanistan, and of these hundred persons there shall be none of the vizier's relations, unless permission to entertain them be obtained from Yar Mahomed.

#### ARTICLE 5.

As the government of Herat is vested in the person and descendants of Shah Kamran, so is the office of vizier recognized in the person and descendants of Yar Mahomed Khan as long as they shall be worthy of the trust ; and, in the event of their being unfit for the office, a subsistence shall be provided for them by the British Government to place them above want and distress,

Sealed by Major E. D'A. Todd and Nujeeb Oollah Khan.
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### No. CLII.

TREATY of FRIENDSHIP and ALLIANCE between the HONOURABLE EAST INDIA COMPANY and HIS MAJESTY SHAH KAMRAN of HERAT, concluded on the thirteenth day of August 1839, corresponding with the second day of Jemmadee-oos-sani 1255 A.H., by MAJOR E. D'ARCY TODD, ENVOY from the GOVERNOR-GENERAL of INDIA on the one part, and HIS MAJESTY SHAH KAMRAN for HIMSELF, his HEIRS and SUCCESSORS, on the other.

#### ARTICLE I.

There shall be perpetual peace and friendship between the British Government and His Majesty Shah Kamran, his heirs and successors.

## ARTICLE 2.

The British Government recognises the government of Herat, as at present constituted, as being vested in His Majesty Shah Kamran, his heirs and successors, and the British Government engages not to interfere in any way with the internal administration of His Majesty's dominions.

## ARTICLE 3.

With a view to strengthen and perpetuate the concord subsisting between the British Government and Shah Kamran, an accredited British Agent shall always reside at the Court of His Majesty; in like manner, should His Majesty see fit, he will depute an accredited Agent to reside at the Durbar of the Governor-General.

## ARTICLE 4.

The British Government undertakes to provide His Majesty Shah Kamran with loans of money, with officers, and with all other means that may be found necessary for the protection of His Majesty's person and country, and to assist in the defence of His Majesty's right and interests against all foreign encroachment to the utmost of its ability.

## ARTICLE 5.

With a view to enable the British Government efficiently to fulfil the obligation contained in the preceding Article, and to obviate all just ground of complaint on the part of other powers, His Majesty Shah Kamran agrees to prohibit for ever the practice of kidnapping or seizing human beings for the purpose of selling them into slavery by any of His Majesty's subjects; and should there be any persons now in a state of bondage within the limits of His Majesty's authority, who may have been enslaved in the manner above-mentioned, His Majesty engages to exert his utmost endeavours to procure the liberation of such persons.

## ARTICLE 6.

His Majesty Shah Kamran engages to co-operate with the British Government and with His Majesty Shah Suja-ool-moolk to the utmost of his ability in preserving the integrity of their respective dominions against the encroachment of all foreign powers, but at the same time His Majesty Shah Kamran binds himself to refrain from entering into hostilities with any foreign power without the advice and consent of the British Government and His Majesty Shah Suja-ool-moolk.

## ARTICLE 7.

His Majesty Shah Kamran agrees on his part that, should any dispute arise between himself and His Majesty Shah Suja-ool-moolk as to the boundaries of their respective territories or with regard to any other matter, the said dispute shall be referred to the arbitration and decision of the British Government, and the British Government further undertakes to use its best endeavours for the accommodation of all subsisting differences or of such as may hereafter arise between His Majesty Shah Kamran and other powers.



## ARTICLE 8.

His Majesty Shah Kamran agrees to refrain from entering into any correspondence with foreign powers without the knowledge and consent of the British representative residing at his Court.

## ARTICLE 9.

In acknowledgment of the steady support and friendship of the British Government, whose interests are identical with those of the Afghan nation, His Majesty Shah Kamran will never take individuals of any European nation (Ahli Furung) other than those belonging to Great Britain (Ingles) into his service, nor will he permit such Europeans to reside in his country.

## ARTICLE 10.

His Majesty Shah Kamran will remove all unnecessary obstacles to the freedom of commerce, and will adopt such arrangements for increasing the facilities of traders as may appear to His Majesty, with the counsel of the British representative at his Court, to be expedient.

## ARTICLE 11.

The above ten Articles shall remain always in force so long as the sovereignty of Herat is vested in the family of Shah Kamran.

*Done and concluded at Herat the day and year above written.*

(Sd.) E. D'ARCY TODD,  
*Envoy to Herat.*

Ratified by the Governor-General of India on 16th March 1840.

## No. CLIII.

TREATY between the BRITISH GOVERNMENT and HIS HIGHNESS AMEER DOST MOHUMMUD KHAN, WALEE of CABOOL and of those countries of AFGHANISTAN now in his possession; concluded on the part of the BRITISH GOVERNMENT by JOHN LAWRENCE, ESQUIRE, CHIEF COMMISSIONER of the PUNJAB in virtue of full powers vested in him by the MOST NOBLE JAMES ANDREW, MARQUIS of DALHOUSIE, KT., &c., GOVERNOR GENERAL of INDIA; and on the part of the AMEER of CABOOL, DOST MOHUMMUD KHAN by SIRDAR GHOLAM HYDUR KHAN, in virtue of full authority granted to him by HIS HIGHNESS,  
—1855.

## ARTICLE 1ST.

Between the Honorable East India Company and His Highness

Ameer Dost Mohummud Khan, Walee of Cabool and of those countries of Afghanistan now in his possession, and the heirs of the said Ameer, there shall be perpetual peace and friendship.

## ARTICLE 2ND.

The Honorable East India Company engages to respect those territories of Afghanistan now in His Highness's possession, and never to interfere therein.

## ARTICLE 3RD.

His Highness Ameer Dost Mohummud Khan, Walee of Cabool and of those countries of Afghanistan now in his possession, engages on his own part, and on the part of his heirs, to respect the territories of the Honorable East India Company, and never to interfere therein; and to be the friend of the friends and enemy of the enemies of the Honorable East India Company.

*Done at Peshawur this 30th day of March one thousand eight hundred and fifty-five, corresponding with the eleventh day of Rujjub, one thousand two hundred and seventy-one Hijree.*

Seal.

(Sd.) JOHN LAWRENCE,  
*Chief Commissioner of the Punjab.*

Seal of Gholam  
Hydur, heir-  
apparent.

As the representative of Ameer Dost Mohummud Khan, and in person on his own account as heir-apparent.

Ratified by the Most Noble the Governor-General at Ootakamund, this first day of May, one thousand eight hundred and fifty-five.

(Sd.) DALHOUSIE.

By order of the Most Noble the Governor-General.

(Sd.) G. F. EDMONSTONE,  
*Secy. to the Govt. of India,  
with the Governor-General.*

Seal.



## No. CLIV.

ARTICLES of AGREEMENT made at PESHAWUR on the 26th January 1857 (corresponding with Jumadee-ool-Awul, 29th A.H. 1273), between AMEER DOST MOHUMMUD KHAN, RULER of CABOOL and of those countries of AFGHANISTAN now in his possession, on his own part, and SIR JOHN LAWRENCE, K.C.B., CHIEF COMMISSIONER of the PUNJAB, and LIEUTENANT-COLONEL H. B. EDWARDES, C.B., COMMISSIONER of PESHAWUR on the part of the HONORABLE EAST INDIA COMPANY, under the authority of the RIGHT HONORABLE CHARLES JOHN, VISCOUNT CANNING, GOVERNOR-GENERAL of INDIA in COUNCIL.

1. Whereas the Shah of Persia contrary to his engagement with the British Government, has taken possession of Herat, and has manifested an intention to interfere in the present possessions of Ameer Dost Mohummud Khan, and there is now war between the British and Persian Governments, therefore the Honorable East India Company, to aid Ameer Dost Mohummud Khan, to defend and maintain his present possessions in Balkh, Cabool, and Candahar against Persia, hereby agrees out of friendship to give the said Ameer one lakh of Company's Rupees monthly during the war with Persia on the following conditions:—
2. The Ameer shall keep his present number of Cavalry and Artillery, and shall maintain not less than 18,000 Infantry, of which 13,000 shall be Regulars divided into 13 Regiments.
3. The Ameer is to make his own arrangements for receiving the money at the British treasuries and conveying it through his own country.
4. British Officers, with suitable native establishments and orderlies, shall be deputed, at the pleasure of the British Government, to Cabool or Candahar, or Balkh, or all three places, or wherever an Afghan army be assembled to act against the Persians. It will be their duty to see generally that the subsidy granted to the Ameer be devoted to the military purposes for which it is given, and to keep their own Government informed of all affairs. They will have nothing to do with the payment of the troops, or advising the Cabool Government; and they will not interfere in any way in the internal administration of the country. The Ameer will be responsible for their safety and honorable treatment, while in his country, and for keeping them acquainted with all military and political matters connected with the war.
5. The Ameer of Cabool shall appoint and maintain a Vakeel at Peshawur.

6. The subsidy of one lakh per mensem shall cease from the date on which peace is made between the British and Persian Governments, or at any previous time at the will and pleasure of the Governor-General of India.

7. Whenever the subsidy shall cease the British Officers shall be withdrawn from the Ameer's country; but at the pleasure of the British Government, a Vakeel, not a European Officer, shall remain at Cabool on the part of the British Government, and one at Peshawur on the part of the Government of Cabool.

8. The Ameer shall furnish a sufficient escort for the British officers from the British border when going to the Ameer's country, and to the British border when returning.

9. The subsidy shall commence from 1st January 1857, and be payable at the British treasury one month in arrears.

10. The five lakhs of Rupees which have been already sent to the Ameer (three to Candahar and two to Cabool), will not be counted in this Agreement. They are a free and separate gift from the Honorable East India Company. But the sixth lakh now in the hands of the mahajuns of Cabool, which was sent for another purpose, will be one of the instalments under this Agreement.

11. This Agreement in no way supersedes the Treaty made at Peshawur on 30th March 1855 (corresponding with the 11th of Rujjub 1271), by which the Ameer of Cabool engaged to be the friend of the friends and enemy of the enemies of the Honorable East India Company; and the Ameer of Cabool, in the spirit of that Treaty, agrees to communicate to the British Government any overtures he may receive from Persia or the allies of Persia during the war, or while there is friendship between the Cabool and British Governments.

12. In consideration of the friendship existing between the British Government and Ameer Dost Mohummud Khan, the British Government engages to overlook the past hostilities of all the tribes of Afghanistan, and on no account to visit them with punishment.

13. Whereas the Ameer has expressed a wish to have 4,000 muskets given him in addition to the 4,000 already given, it is agreed that 4,000 muskets shall be sent by the British Government to Tull, whence the Ameer's people will convey them with their own carriage.

Seal.

Seal.

(Sd.) JOHN LAWRENCE,  
*Chief Commissioner.*

Seal.

(Sd.) HERBERT B. EDWARDES,  
*Commissioner of the Peshawur Division.*



## No. CLV.

TREATY between the BRITISH GOVERNMENT and HIS HIGHNESS MUHAMMAD YAKUB KHAN, AMIR of AFGHANISTAN and its DEPENDENCIES, concluded at GANDAMAK on the 26th May 1879, by HIS HIGHNESS THE AMIR MUHAMMAD YAKUB KHAN on his own part, and on the part of the BRITISH GOVERNMENT by MAJOR P. L. N. CAVAGNARI, C.S.I., POLITICAL OFFICER on SPECIAL DUTY, in virtue of full powers vested in him by the RIGHT HONORABLE EDWARD ROBERT LYTTON BULWER-LYTTON, BARON LYTTON of KNEBWORTH, and a BARONET, GRAND MASTER of the MOST EXALTED ORDER of the STAR OF INDIA, KNIGHT GRAND CROSS of the MOST HONORABLE ORDER of the BATH, GRAND MASTER of the ORDER of the INDIAN EMPIRE, VICEROY and GOVERNOR-GENERAL of INDIA.

The following Articles of a Treaty for the restoration of peace and amicable relations have been agreed upon between the British Government and His Highness Muhammad Yakub Khan, Amir of Afghanistan and its dependencies:—

## ARTICLE 1.

From the day of the exchange of the ratifications of the present Treaty there shall be perpetual peace and friendship between the British Government on the one part and His Highness the Amir of Afghanistan and its dependencies, and his successors, on the other.

## ARTICLE 2.

His Highness the Amir of Afghanistan and its dependencies engages, on the exchange of the ratifications of this Treaty, to publish a full and complete amnesty, absolving all his subjects from any responsibility for intercourse with the British Forces during the war, and to guarantee and protect all persons of whatever degree from any punishment or molestation on that account.

## ARTICLE 3.

His Highness the Amir of Afghanistan and its dependencies agrees to conduct his relations with Foreign States, in accordance with the

advice and wishes of the British Government. His Highness the Amir will enter into no engagements with Foreign States, and will not take up arms against any Foreign State, except with the concurrence of the British Government. On these conditions, the British Government will support the Amir against any foreign aggression with money, arms, or troops, to be employed in whatsoever manner the British Government may judge best for this purpose. Should British troops at any time enter Afghanistan for the purpose of repelling foreign aggression, they will return to their stations in British territory as soon as the object for which they entered has been accomplished.

#### ARTICLE 4.

With a view to the maintenance of the direct and intimate relations now established between the British Government and His Highness the Amir of Afghanistan and for the better protection of the frontiers of His Highness's dominions, it is agreed that a British Representative shall reside at Kabul, with a suitable escort in a place of residence appropriate to his rank and dignity. It is also agreed that the British Government shall have the right to depute British Agents with suitable escorts to the Afghan frontiers, whensoever this may be considered necessary by the British Government in the interests of both States, on the occurrence of any important external fact. His Highness the Amir of Afghanistan may on his part depute an Agent to reside at the Court of His Excellency the Viceroy and Governor-General of India, and at such other places in British India as may be similarly agreed upon.

#### ARTICLE 5.

His Highness the Amir of Afghanistan and its dependencies guarantees the personal safety and honorable treatment of British Agents within his jurisdiction; and the British Government on its part undertakes that its Agents shall never in any way interfere with the internal administration of His Highness's dominions.

#### ARTICLE 6.

His Highness the Amir of Afghanistan and its dependencies undertakes, on behalf of himself and his successors, to offer no impediment to British subjects peacefully trading within his dominions so long as they do so with the permission of the British Government, and in accordance with such arrangements as may be mutually agreed upon from time to time between the two Governments.

#### ARTICLE 7.

In order that the passage of trade between the territories of the British Government and of His Highness the Amir of Afghanistan may be open



and uninterrupted, His Highness the Amir of Afghanistan agrees to use his best endeavours to ensure the protection of traders and to facilitate the transit of goods along the well-known customary roads of Afghanistan. These roads shall be improved and maintained in such manner as the two Governments may decide to be most expedient for the general convenience of traffic, and under such financial arrangements as may be mutually determined upon between them. The arrangements made for the maintenance and security of the aforesaid roads, for the settlement of the duties to be levied upon merchandize carried over these roads, and for the general protection and development of trade with, and through the dominions of His Highness, will be stated in a separate Commercial Treaty, to be concluded within one year, due regard being given to the state of the country.

#### ARTICLE 8.

With a view to facilitate communications between the allied Governments and to aid and develop intercourse and commercial relations between the two countries, it is hereby agreed that a line of telegraph from Kurram to Kabul shall be constructed by, and at the cost of the British Government, and the Amir of Afghanistan hereby undertakes to provide for the proper protection of this telegraph line.

#### ARTICLE 9.

In consideration of the renewal of a friendly alliance between the two States which has been attested and secured by the foregoing Articles, the British Government restores to His Highness the Amir of Afghanistan and its dependencies the towns of Kandahar and Jellalabad, with all the territory now in possession of the British armies, excepting the districts of Kurram, Pishin, and Sibi. His Highness the Amir of Afghanistan and its dependencies agrees on his part that the districts of Kurram and Pishin and Sibi, according to the limits defined in the schedule annexed,\* shall remain under the protection and administrative control of the British Government: that is to say, the aforesaid districts shall be treated as assigned districts, and shall not be considered as permanently severed from the limits of the Afghan kingdom. The revenues of these districts after deducting the charges of civil administration shall be paid to His Highness the Amir.

The British Government will retain in its own hands the control of the Khyber and Michni Passes, which lie between the Peshawur and Jellalabad Districts, and of all relations with the independent tribes of the territory directly connected with these Passes.

#### ARTICLE 10.

For the further support of His Highness the Amir in the recovery and

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\*NOTE.—Omitted for the present.

maintenance of his legitimate authority, and in consideration of the efficient fulfilment in their entirety of the engagements stipulated by the foregoing Articles, the British Government agrees to pay to His Highness the Amir and to his successors an annual subsidy of six lakhs of Rupees.

Done at Gandamak, this 26th day of May 1879, corresponding with the 4th day of the month of Jamadi-us-sani 1296, A. H.

(Sd.) AMIR MUHAMMAD  
YAKUB KHAN.

Seal.

(Sd.) N. CAVAGNARI, *Major,*  
*Polit. Officer on Special Duty.*

(Sd.) LYTTON.

Seal.

This Treaty was ratified by His Excellency the Viceroy and Governor-General of India, at Simla, on Friday, this 30th day of May 1879.

(Sd.) A. C. LYALL,

*Secy. to the Govt. of India, Foreign Dept.*

## No. CLVI.

### PROTOCOLE.—1885.

Les Soussignés, le Marquis de Salisbury, Chevalier du Très Noble Order de la Jarretière, Principal Secrétaire d'Etat pour les Affaires Étrangères de Sa Majesté Britannique, etc., etc., et Son Excellence M. Georges de Staal, Ambassadeur Extraordinaire et Plénipotentiaire de Sa Majesté l'Empereur de Toutes les Russies près Sa Majesté Britannique, etc., etc., se sont réunis dans le but de consigner au présent Protocole l'arrangement suivant intervenu entre Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande et Sa Majesté l'Empereur de Toutes les Russies:—

I.—Il est convenu que la frontière Afghane entre l'Héri-Roud et l'Oxus sera tracée comme suit—

La frontière partira du Héri-Roud à 2 verstes environ en aval de la tour de Zulfagar et suivra jusqu'au point *K* le tracé indiqué en rouge sur la Carte No. 1 annexée au Protocole, de manière à ne pas se rapprocher à une distance moindre de 3,000 pieds Anglais de l'arête de l'escarpement du défilé occidental (y compris l'arête marqué *LMN* de la branche nord du même défilé). A partir du point *K* le tracé suivra la crête des hauteurs bordant au nord le second défilé, qu'il coupera un peu à l'ouest de sa bifurcation à une distance d'environ 850 sagènes du point où convergent les routes d'Adam-Ulan, Kungroueli, et d'Ak-Robat. Plus loin, le tracé continuera à suivre la crête des hauteurs jusqu'au point *P* marqué sur la Carte No. 2 attachée au Protocole. Il prendra ensuite une direction sud-est



à peu près parallèle à la route d'Ak-Robat, passera entre les lacs salés marqué *Q* et *R* se trouvant au sud d'Ak-Robat et au nord de Sonné-Kehriz et laissant Sonné-Kehriz aux Afghans, se dirigera sur Islim, où la frontière passera sur la rive droite du Egri-Guenk en laissant Islim en dehors du territoire Afghan. Le tracé suivra ensuite les crêtes des collines qui bordent la rive droite de Egri-Guenk et laissera Tchéméni-Bid en dehors de la frontière Afghane. Il suivra de la même manière la crête des collines qui bordent la rive droit du Kouschk jusqu'à Hanzi Khan. De Hanzi Khan le tracé suivra une ligne presque droite jusqu'à un point sur le Mourghab au nord de Meroutchak, fixé de manière laisser à la Russie les terres cultivées par les Saryks et leurs pâturages.

Appliquant ce même principe aux Turcomans sujets de la Russie et aux sujets de l'Emir de l'Afghanistan, la frontière à l'est du Mourghab suivra une ligne au nord de la Vallée de Kaissor, et à l'ouest de la Vallée du Sangalak (Abi-Andkoi) et en laissant Andkoi à l'est rejoindra Khodja-Saleh sur l'Oxus.

La délimitation des pâturages appartenant aux peuplades respectives sera abandonnée aux Commissaires. Dans le cas où ceux-ci ne parviendraient pas à s'entendre, cette délimitation sera réglée par les deux Cabinets sur la base des cartes dressées et signées par les Commissaires.

Pour plus ample clarté, les principaux points de la ligne frontière sont marqués sur les cartes annexées au présent Protocole.

2. Il est convenu que des Commissaires seront nommés de suite par les Gouvernements de Sa Majesté la Reine du Royaume Uni de la Grande-Bretagne et d'Irlande, et Sa Majesté l'Empereur de Toutes les Russies, qui procéderont à examiner et à tracer sur les lieux les détails de la frontière Afghane fixée par l'Article précédent. Un Commissaire sera nommé par Sa Majesté la Reine, et un par Sa Majesté l'Empereur. Les escortes de la Commission sont fixées à 100 hommes au plus de chaque côté, et aucune augmentation ne pourra être admise sauf entente entre les Commissaires. Les Commissaires se réuniront à Zulfagar dans un délai de deux mois à partir de la date de la signature du présent protocole, et procéderont immédiatement au tracé de la frontière conformément aux stipulations qui précèdent.

Il est entendu que la délimitation sera commencée de Zulfagar, et que, aussitôt que les Commissaires se seront réunis, et auront commencé leurs travaux, la neutralisation de Penjdé sera limitée au district compris entre une ligne au nord allant de Bendi-Nadiri à Burdj-Nraz Khan, et une ligne au sud allant de Meroutchak à Hanzi Khan, les postes Russes et Afghans sur le Mourghab étant respectivement à Bendi-Nadiri et à Meroutchak. Les Commissaires devront terminer leurs travaux aussi vite que possible.

3. Il est entendu qu'en traçant cette frontière et en se conformant autant que possible à la description de cette ligne dans le présent Protocole, ainsi qu'aux points marqués sur les cartes ci-annexées, les dits Commissaires tiendront dûment compte des localités et des nécessités, et du bien-être des populations locales.

4. A mesure de l'avancement des travaux de délimitation, les parties respectives auront le droit d'établir des postes sur la frontière.

5. Il est convenu que, quand les dites Commissaires auront complété leurs travaux, des cartes seront dressées, signées, et communiquées par eux à leurs Gouvernements respectifs.

En foi de quoi, les Soussignés, dûment autorisés à cet effet, ont signé le présent Protocole, et y ont apposé le sceau de leurs armes.

Fait à Londres le 10 Septembre 1885.

(Sé.) SALISBURY.

(Sé.) STAAL.

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### No. CLVII.

#### PROTOCOL No. 15.

SITTING HELD AT KHAMIAB, the <sup>1st</sup>/<sub>19th</sub> September 1886.

#### *Present :*

On behalf of Great Britain—

COLONEL RIDGEWAY.

MAJOR DURAND.

On behalf of Russia—

COLONEL KUHMBERG.

CAPITAINE GUÉDEONOFF.

M. P. LESSAR.

Protocol No. 14 was read and adopted.

Colonel Ridgeway then read a copy of a telegram from the Secretary of State for Foreign Affairs received on the 3rd September, informing him of the conclusion of an agreement between the English and Russian Governments for the recall of the two Commissions.

He proposed to annex this document to the present protocol.

Colonel Kuhlberg acknowledged having received a similar despatch with the exception of the last phrase regarding the *status quo*.

It was then decided that the synopsis of the boundary marks constructed by the Commission, prepared by Major Holdich, and sent to Colonel Kuhlberg on the 3rd August, should be annexed to the protocol.

Colonel Kuhlberg speaking about the four last pillars regarding which a discussion had taken place at the last sitting, said that Major Holdich had corrected his first calculations, and it was found that these four marks



were more to the north than had been at first supposed. The Oi-Kul, for example, is a verst to the north of the position originally marked on the map. Colonel Ridgeway referred the matter to Major Holdich, who replied that there was nothing absolutely final in this, inasmuch as the computations had not been verified. It was not impossible that the first position assigned to Oi-Kul was the better. He added that the position of the last mark near Imam Nazur had not been changed. Colonel Kuhlberg proposed to reconsider the last part of the frontier from Chichli. Colonel Ridgeway replied that in his opinion this question should be considered by the two Governments. Colonel Kuhlberg thought that in this case the two Commissioners should not sign the maps any further than Chichli, but Colonel Ridgeway preferred to leave the maps without any signature, if they could not be signed up to Dakchi, the two Governments having in his opinion confirmed the frontier as far as that place.

Colonel Ridgeway then proposed to attach to the protocol copies of the maps surveyed by Captains Konratenko and Peacocke in the valleys of the Kushk and Kaahan, in accordance with the agreement reported in protocol No. 4. Colonel Kuhlberg having given his assent, Colonel Ridgeway remarked that since the month of April, Captains Peacocke and Guédeonoff had not been able to agree as to the extent of the land which should be ceded by Afghanistan for the construction of an embankment at Meruchak (regarding the construction of which an agreement had been arrived at on certain conditions reported in protocols Nos. 4 and 5) and the question had not been decided.

It was thereupon agreed that the land to be ceded for the head of an embankment on the right bank of the Murghab should not exceed 150 yards in length by 75 yards in breadth.

Colonel Ridgeway made it known that he had received a report concerning the destruction of certain boundary marks in the valley of Meruchak owing to recent inundations.

It was arranged that Colonel Tarkanoff should be asked by Colonel Kuhlberg to co-operate with Mr. Merk, who would shortly be at Meruchak, for the reconstruction of these marks.

Colonel Ridgeway, in regretting that in conjunction with his colleague he had not been able to entirely finish the work they had undertaken, could not allow the Commission to adjourn without expressing his sincere pleasure at the maintenance of cordial relations between the two Commissions in spite of the difference of opinion which had arisen upon several claims. He could only think that this was in a great measure due to the courtesy of Colonel Kuhlberg and his colleagues. He wished to add that the Russian topographical officers had had beyond comparison the most difficult part of the survey work, and he hoped that Colonel Kuhlberg would be good enough to thank them from him in expressing to them his gratitude for the admirable execution of their difficult work.

Colonel Kuhlberg thanked his colleague and said that the English topographical officers having undertaken the triangulation as well as a considerable portion of the survey, had had in his opinion their full share of the work.

The present protocol having been corrected and read was then formally adopted, and the labours of the Commission were declared at an end.

(Sd.) P. KUHMBERG.

(Sd.) J. RIDGEWAY.

„ E. L. DURAND.

### No. CLVIII.

#### [TRANSLATION.]

#### DEMARCATI<sup>ON</sup> of the NORTH-WEST FRONTIER of AFGHANIS- TAN.

#### PROTOCOL No. 4.

Sitting held at St. Petersburg, 10th (22nd) July 1887.

The Privy Councillor Zinoview and Colonel Sir West Ridgeway, having met with the object of coming to a definite understanding as to the terms of an arrangement for the solution of the difficulties which arose on the occasion of the demarcation of the Afghan frontier on the left bank of the Amou Daria began by recapitulating the course which the negotiations between them had taken up to the present time.

As appears from the previous protocols, the Cabinet of London was of opinion that the arrangement arrived at in 1873 between the two Governments had for its object to confirm the rights of the Amir of Afghanistan over all the districts of which Shere Ali Khan was in possession at that time, and that on this basis the district of Khamiab, which, in accordance with the information obtained on the spot, had been incorporated in Afghanistan long before the date of the arrangement in question, should also remain subject to the authority of the Amir Abdurrahman Khan. The Imperial Government of Russia could not adopt this view, and taking as a basis the text of the arrangement of 1873, they affirmed that the present state of things on the left bank of the Amou-Daria could not be considered as invalidating the rights of Bokhara resulting from that arrangement.

The Imperial Government considered it still less possible to sacrifice those rights, since, in consequence of the demarcation carried out in accordance with the terms of the Protocol of London of the 29th August (10th September) 1885, the Sarik Turkomans of the Penjeh Oasis



had been dispossessed of the lands which they had previously held, and those lands had been included in the territory of Afghanistan.

Having regard to this difference of opinion, and being desirous of proving their respect for the letter itself of the arrangement concluded between the two Governments, the Cabinet of Her Britannic Majesty has authorised Sir West Ridgeway to propose a frontier, which, starting from Dukchi, the point to which the demarcation had already been carried out, would terminate at the Amou-Daria, in the neighbourhood of Islim. After a detailed examination obtained by their Commissioner on the spot, the British Cabinet had arrived at the conclusion that Islim answered in every respect to the frontier point of Khodja-Saleh, of which mention is made in the correspondence relative to the arrangement.

This proposal was likewise unacceptable to the Imperial Cabinet of Russia, who, looking at the question from a totally different point of view, maintained that, in view of the differences of opinion which had arisen between the respective Commissioners when discussing the bearing of the local information, the identity of the geographical names could alone serve as the basis for an equitable demarcation, that the Serai Khodja-Saleh, situated in the vicinity of the Ziaret known under the same name, should be considered as the extreme point of the Afghan possessions on the Amou-Daria, and that the frontier should be drawn immediately below the Serai in question.

In the opinion of the Cabinet of Her Britannic Majesty a demarcation carried out under these conditions would be likely to entail serious inconvenience, especially having regard to the fact that the canals used for the irrigation of the territory lying between Khodja-Saleh and Islim take their rise in the neighbourhood of Kilif, a circumstance which could not fail to be the source of continual disputes between the populations on either side of the frontier. In order to obviate these objections, the Cabinet of Her Britannic Majesty considered it preferable to give up the attempt to come to an understanding as to a fresh frontier on the left bank of the Amou-Daria, and to authorise Sir W. Ridgeway to offer to the Imperial Russian Government in exchange for the territory which they claimed on the left bank of Amou-Daria, compensation on another part of the frontier. This compensation related to the territory of which the Sarik Turkomans of Penjdeh as explained above had been dispossessed in consequence of the tracing of the frontier in conformity with the provisions contained in the Protocol of London of the 29th August (10th September) 1885.

This proposal having received the adhesion of the Imperial Russian Government, M. Zinoview and Sir West Ridgeway have agreed on the following provisions :—

1.

The frontier, the description of which is contained in the Annex to the present Protocol under the letter (A) and which is included between the pillars No. 1 and No. 19 and the pillars No. 36 and No. 65, is considered



as definitely settled. The trigonometrical points on the portion of the frontier line described above and included between pillars No. 19 and No. 36 are likewise admitted as definitive; the description of this part of the frontier, as well as that of the part to the eastward of the pillar No. 65, may be completed after the demarcation.

The synopsis of pillars attached to Protocol No. 15, dated the 1st (13th) September 1886, is admitted to be correct and definitive as regards pillars No. 1 to No. 19, and No. 36 to No. 65; it will be completed subsequently by the synopsis of the pillars from No. 20 to No. 35 and by that of the pillars to the east of No. 65.

## 2.

Leaving pillar No. 19, the frontier shall follow a straight line up to the summit of the hill marked 2,740 on map No. 1 annexed to the present protocol. This point, where pillar No. 20 shall be placed, is known under the denomination of "trigonometrical station of Kara Tepe" (latitude  $35^{\circ} 17' 49''$ , longitude  $62^{\circ} 15' 17''$ ). Further on the line shall descend the crest of the hills, being directed from this point towards the confluence of the Kushk and the Moghur pillar No. 21 shall be placed on a point of this crest or of its slope, so as to be seen from the confluence above mentioned. A straight line shall connect No. 21 with No. 22 placed in the valley of Kushk on the left bank of the river, 900 feet to the north of the confluence of the Kushk and the Moghur (about 6,300 feet from Masari Shah Alam, indicated on map No. 2 annexed to the protocol).

Leaving pillar No. 22 the line shall ascend the thalweg of the Kushk to pillar No. 23, placed 2,700 feet above the head of the new canal on the right bank, of which the water-supply is situated about 6,000 feet to the north-north-east of the Zialet of Chahil-Dukhter. From pillar No. 23 a straight line shall be traced to the point marked 2,925 on map No. 3 annexed to the present protocol (latitude  $35^{\circ} 16' 53''$ , longitude  $62^{\circ} 27' 57''$ , pillar No. 24) whence the frontier shall follow the line of the water-parting passing through the following points: the point 3,017 (Bandi Akhamar, latitude  $35^{\circ} 14' 21''$ , longitude  $62^{\circ} 25' 48''$ , pillar No. 26), the point 3,198 (latitude  $35^{\circ} 14' 30''$ , longitude  $62^{\circ} 41' 0''$ , pillar No. 27) and the point Kalari 2 (latitude  $35^{\circ} 18' 21''$ , longitude  $62^{\circ} 47' 18''$ ) and shall run on to the point marked No. 29 on map No. 4 annexed to the present protocol. The frontier shall cross the valley of the River Kashan in a straight line between pillars No. 29 and No. 30 (trigonometrical station of Tori Scheikh, latitude  $35^{\circ} 24' 51''$ , longitude  $62^{\circ} 59' 43''$ ) and shall follow the line of the water-parting of Sanicha to the point (pillar No. 31 of map No. 3), where it meets the line of the water-parting of the Kashan and the Murghab, shall pass on to this latter and shall follow it up to the trigonometrical station of the Kashan (latitude  $35^{\circ} 38' 13''$ , longitude  $63^{\circ} 6' 4''$ , pillar No. 32). From this station a straight line shall be traced to a point on the Murghab (pillar No. 35, situated 700 feet above the canal-head of



the canal Yaki-Yuz (or Yaki-Yangi). Further on, the frontier descending the thalweg of the Murghab, shall join pillar No. 36 of the frontier demarcated in 1885-86.

To the east of pillar No. 65 the frontier shall follow the line marked A, B, C, D, on map No. 8 annexed to the present protocol, the point A being situated at a distance of 3,500 feet south of the wells of Imam Nazar; the point B being near Kara-Tepe Khurd-Kak, which remains to the Afghans; the point C about midway between the east and west wells of Katabadji; and, lastly, the point D about midway between the wells Ali Kadim and the wells marked Chahi. The wells of Imam Nazar, Kara-Tepe-Khurd, West Katabadji, and Ali Kadim remain outside of Afghan territory. From the point D a straight line shall be traced as far as the commencement of the local frontier demarcated between Bosagha and Khamiab, which shall continue to serve as frontier between the two villages, with the single reservation that the canals of Bosagha along all their course, that is to say, as far as Konili (point H) shall be included in Russian territory. In other words, the present demarcation will confirm the existing rights of the two parties on the banks of the Amou-Daria, that is to say, that the inhabitants of Khamiab shall retain all their lands and all their pastures, including those which are east of the local frontier marked E, F, G, on maps Nos. 9 and 10 annexed to the Protocol. On the other hand, the inhabitants of Bosagha shall retain the exclusive enjoyment of their canals as far as Konili, with the right of repairing and supplying them in accordance with the customs in force in regard to those of Khamiab, when the waters of the Amou-Daria are too low to supply directly the canal-heads of Konili. The officers who shall be charged to execute on the spot the provisions of the present Protocol between the above-named pillars shall be bound to place a sufficient number of intermediate pillars, taking advantage for this purpose as much as possible of the salient points.

## 3.

The clause in Protocol No. 4 of the 14th (26) December 1885, prohibiting the Afghans from making use of the irrigating canals in the Kushk Valley below Chahil Dukhter which were not in use at that time, remains in force, but it is understood that this clause can only be applied to the canals supplied by the Kushk. The Afghans shall not have the right to make use of the waters of the Kushk for their agricultural works north of Chahil Dukhter; but the waters of the Moghur belong exclusively to them, and they may carry out any works they may think necessary in order to make use of them.

## 4.

The clauses in Protocols No. 4 of the 14th (26th) December 1885, and No. 15 of the 1st (13th) September 1886, relative to the construction of a

dam on the Murghab, remain in force. M. Zinoviev having expressed the wish that the obligation imposed on the Amir of Afghanistan to give up for this purpose a tract of land on the right bank of the Murghab under the conditions stipulated in the said protocols, should be extended to the whole course of the river below the canal-head of Yaki-Yuz, Colonel Ridgeway is of opinion that the necessary steps to obtain the assent of the Amir might delay the conclusion of the present arrangement; but he is nevertheless convinced that the assent of the Amir to the cession, under the same conditions, of a tract of land on the right bank can be obtained without difficulty, if later on the Imperial Government should inform Her Britannic Majesty's Government of their intention of proceeding to the construction of a dam above the canal-head of Bendi-Nadiri.

## 5.

The British Government will communicate without delay to the Amir of Afghanistan the arrangements herein agreed upon, and the Imperial Government of Russia will enter into possession of the territory adjudged to them by the present protocol from the 1st (13th) October, of the present year.

## 6.

The frontier agreed upon shall be locally demarcated by a Mixed Commission, according to the signed maps. In case the work of demarcation should be delayed the line traced on the maps shall nevertheless be considered binding by the two Governments.

(Sd.) W. RIDGEWAY.

„ J. ZINOVIEV.

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[TRANSLATION.]

## ANNEX TO PROTOCOL No. 4.

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(A)

## DESCRIPTION of the AFGHAN FRONTIER between the HERI-RUD and the OXUS (AMOU-DARIA).

The frontier begins on the right bank of the Heri-Rud at a point marked on the map by pillar No. 1 about 8,500 feet distant from a small tower situated on a mound at the entrance of the Zulficar Pass. Pillar No. 2 is placed on the top of the neighbouring rock which commands pillar



No. 1. From pillar No. 2, the frontier turns to the north for a distance of about half a mile as far as pillar No. 3, which is situated on an eminence at the western extremity of a detached portion of the cliff. From thence the frontier runs in a straight line towards the top of a steep hill about a mile and a half distant in an east-north-easterly direction and reaches pillar No. 4, placed on a low mound in the plain. Beyond this pillar the frontier, taking a more easterly direction, runs for a distance of 4 miles as far as pillar No. 5, placed on an eminence, and well in view of the second line of heights on the northern side of a natural cavity in the rock. From this point the frontier runs in a south-easterly direction along the crest of the second line of heights as far as pillar No. 6, placed on the ridge of the northern cliff of the eastern defile, at a distance of about a mile from the centre of the defile. Pillar No. 7 is placed below pillar No. 6 near the road in the middle of the pass, and pillar No. 8 is on the top of the southern cliff facing pillar No. 6. The frontier then descends the crest of the second line of heights in a southerly direction, and crosses the path leading to Karez-Elias and Abi-Charmi at a point about  $2\frac{1}{2}$  miles distant from the bifurcation of the four roads converging at the eastern extremity of the defile of Zulficar. Pillar No. 9 is placed to the east of the path on a small rock which overhangs it. From this pillar the frontier gradually ascends the line of water-parting as far as the highest summit of the range of Deugli-Dagh, marked by pillar No. 10. At the eastern extremity of this range stands pillar No. 11. At a distance of about  $9\frac{1}{2}$  miles in a south-easterly direction are three low hills. On the middle one is placed pillar No. 12. Again turning somewhat to the east the frontier runs towards pillar No. 13, placed beside the road about half-way between Ak-Robat and Sumbakarez, and thence to pillar No. 14, situated at a distance of  $2\frac{1}{2}$  miles to the east on the top of a hill.

Pillar No. 15 is about 9 miles from Ak-Robat, on the road leading to An-Rohak, from thence the frontier runs in a straight line towards pillar No. 16, placed on the more easterly and the higher of the two mounds of Koscha-Tehingua,  $5\frac{1}{2}$  miles north of An-Rohak. At about the same distance to the north-west of the spring of Islim, stands pillar No. 17 placed on a flat-topped hill; on the side of the road between An-Rohak and Islim, on a gentle slope, is placed pillar No. 18 about 3 miles west of Islim, on the southern side of the stream. Pillar No. 19 is placed on the rounded crest of a small chain of heights 3 miles south of Islim.

From pillar No. 36 placed on the right bank of the Murghab, about 3 miles north of Meruchak Fort, on a height commanding the river, the frontier runs eastwards towards pillar No. 38, passing by pillar No. 37, which is situated on the road leading from the valley of Meruchak along the Galla-Chasma Chor.

Pillar No. 38 is placed on an elevated point of the "Chul" at about 11 miles from the valley of Meruchak. The frontier from thence continues in an east-north-easterly direction towards pillar No. 39, situated about a mile south-east of the spring of Khwaja-Gongourdak; after that in a straight line and with north-easterly direction towards pillar No. 40 on an elevated



point of the "Chul," from thence east north-east towards pillar No. 41, situated on a height about 12 miles north of Kilawali; further on the frontier follows an east-north-easterly direction towards pillar No. 42, placed on a height 2 miles west of the Pakana-Shor, and continues in the same direction as far as pillar No. 43. From this pillar the frontier runs in a south-easterly direction towards pillar No. 44, placed on the most elevated point of the watershed between the basins of the Kara Baba and the Kaissar, known by the name of Bel-i-Parandas. Following this line in a northerly direction the frontier reaches pillar No. 45 situated about 3 miles south-west of the well of Beshdara. From thence it follows in a north-easterly direction a branch of the watershed, and arrives at pillar No. 46, situated at a distance of more than a mile to the south-west of the well of Beshdara. It runs from thence in an easterly direction irregularly towards pillar No. 47, situated about  $4\frac{1}{2}$  miles from the point where the road from Khwaja-Gachai and Kassawa-Kala crosses the Shor-Egri. From thence the frontier runs to the north-east along a secondary watershed towards pillar No. 48, and follows the same line as far as pillar No. 49 which is placed at the highest point of the watershed north of the Shor-Egri, and about 6 miles to the west of the confluence of the Shor-Gandabulak and the Shor-Egri. From thence the frontier runs in a straight line to the north-east, crossing the Shor-Gandabulak at pillar No. 50, which is placed on a hill with two peaks, rising from the line of water-parting between the Shor-Gandabulak and the Shor-Tara-Kui. Following the same direction it reaches Shor-Tara-Kui, where pillar No. 51 is placed near the road from Jalaïour on the Kaissar to Jalgun-Koudouk and Kara-Baba. The frontier passes thence in a north-easterly direction to pillar No. 52 at a point a mile to the north of the well of Alini. From this pillar the frontier runs north-north-east towards pillar No. 54 crossing the Daulatabad-Hazara-Koudouk road near pillar No. 53. Pillar No. 54 is placed on the highest point of a group of sandy hills 2 miles north of the well of Katar-Koudouk; from thence the line of the frontier runs for about 10 miles with a slight inclination to the north-north-west towards pillar No. 55, placed on a mound at the end of a chain of hills which extends between the depression of Kui-Sarai and that in which the well of Khwaja-Ahmad is situated. From this pillar the frontier runs in a straight line northwards for a mile and a quarter towards pillar No. 56, which is situated on a natural elevation a few feet south of the road between Jalanguir and Meruchak, from thence it proceeds to pillar No. 57,  $2\frac{1}{4}$  miles to the north-north-west, and situated on the top of the heights which form the northern limit of the depression of Kui-Sarai. From this point the frontier runs to the north-north-east towards pillar No. 58, placed on one of the sandy mounds of the heights which command the plain extending to the west of Andkhai; the frontier then turns rather more to the east towards pillar No. 59, placed on a low sandy hill about  $2\frac{1}{4}$  miles to the east-south-east of the wells of Sari Mat. It next reaches in a north-north-westerly direction, pillar No. 60, placed between the wells of Chichli and Gokchah, about a quarter of a mile to the west of the wells of Chichli. Leaving Gokchah to Russia, and Chichli to



Afghanistan, the frontier runs in a straight line to pillar No. 61, placed 300 feet to the east of the road which leads from Andkhoi to Sechanchi; thence, following the same direction, it reaches pillar No. 62, placed on a well-defined sandy mound known by the name of Madali-Koum; the frontier line then reaches in an east-north-easterly direction pillar No. 63, placed to the north of Oikul, an elliptically shaped valley 3,600 feet in length, and at the bottom of which are situated two "Kaks," or basins of fresh water, which remain within Afghan territory. Turning then in an east-south-easterly direction the frontier reaches in a straight line pillar No. 64, placed on a sandy hill known by the name of Gichi-Kumi, and continues in a north-easterly direction as far as pillar No. 65, placed on the high road between Andkhoi and Dugchi and Karki, at a point  $4\frac{1}{2}$  miles to the south of Dugchi and  $2\frac{3}{4}$  miles to the north of Sultan Robat.

### NO. CLIX.

[TRANSLATION.]

#### PROTOCOL No. 6.

COMMISSION appointed to enquire into on the spot and settle the question of the alleged infractions, which may have been committed by either side, of the stipulations relating to the waters of the KUSHK, and contained in PROTOCOL No. 4 signed at ST. PETERSBURG on the <sup>20th</sup>/<sub>22nd</sub> July 1887, by the delegates of RUSSIA and GREAT BRITAIN for the delimitation of the NORTH-WEST FRONTIER of AFGHANISTAN.

Meeting held at the camp of the British Commissioner at Chahil Dukhteran on the <sup>22nd August</sup>/<sub>3rd September</sub> 1893.

*There were present on the part of Great Britain—*

LIEUTENANT-COLONEL C. E. YATE, C.S.I., C.M.G.

LIEUTENANT THE HONORABLE H. D. NAPIER.

*On the part of Russia—*

COLLEGIATE CONSEILLER V. IGNATIEW.

LIEUTENANT-COLONEL L. ARTAMANOW of the General Staff.

SARHANG MAHMUD KHAN, the Representative of His Highness the Amir of Afghanistan, was also present.

The Russian and British Commissioners after having thoroughly examined\* the question of the canals existing at present on the left (Afghan) bank of the Kushk between Karatappa and Chahil Dukhteran, enumerated in Protocol No. 1 of the Commission, and marked on the map annexed to it, and taking as a basis the stipulations

\*The details of this examination are recorded in the preceding Protocols of the Commission.

of Clause III of Protocol 4 of 1887, and Captains Peacocke and Kontratenko's map, Annex No. II to this latter Protocol, have come to an agreement on the following arrangements :—

## I.

All the irrigation canals in use at present on the left (Afghan) bank of the Kushk between Karatappa and Chahil Dukhteran, namely, the canals—

- (1) Karatappa Kalan, marked by the letters B. I. on the map attached to Protocol No. 1 of the Commission.
- (2) Chapgul, marked by the letter C on the same map.
- (3) Khwajah Jir, marked by the letter D.
- (4) The branches of the Pul-i-Khishti and Chahil Dukhteran canals marked by the letters E and F which irrigate the Afghan lands north of the parallel of latitude of the Chahil Dukhteran Frontier Pillar No. 23, also marked on the said map, constitute an infraction of the stipulations of Clause III of Protocol No. 4 of <sup>10th</sup><sub>22nd</sub> July 1887, and consequently should be definitely closed.

The British Commissioner will immediately take the necessary measures to execute this arrangement.

## II.

The mill canal, marked by the letter A on the map attached to Protocol No. 1 of the Commission, not being used for irrigation, does not constitute an infraction of the stipulations of Clause III of Protocol No. 4 of 1887, but as it is at present longer than is necessary, it should be shortened to the minimum length required by local conditions, and the water of this canal cannot be used for irrigation under any pretext. The British Commissioner will take the necessary measures in order that these arrangements may be carried out.

## III.

In order to elucidate and complete Clause III of Protocol No. 4 of <sup>10th</sup><sub>22nd</sub> July 1887, the Commissioners have established that the Afghans shall not be able to take off water from the river Kushk, north of the ruins of the Chahil Dukhteran bridge (Pul-i-Khishti), for irrigation by means of either new or disused or closed canals, the Afghans shall not have the right to carry on, below the parallel of Chahil Dukhteran Frontier Pillar No. 23, for irrigation, the branches of the canals which take off from the Kushk south of the ruins of the Chahil Dukhteran bridge (Pul-i-Khishti), but they shall have the right to make use of the said branches to irrigate their cultivation as far as the parallel of the Chahil Dukhteran Frontier Pillar No. 23.



The Afghans shall also have the right to the free use for irrigation or any other purpose of the waters of springs which exist on the left bank of the Kushk between the hills and the river to the south of the Karatappa Frontier Pillar No. 22, up to the points where these springs reach the stream of the river.

To the south of the ruins of the Chahil Dukhteran bridge (Pul-i-Khishti) the Afghans have full rights to all the water of the Kushk and shall not be subject to any restriction whatever.

#### IV.

The want of water in the Kushk, no matter from whatever cause arising, provided that the Afghans maintain the stipulations of Clause III of Protocol No. 4 of <sup>10th</sup>/<sub>and</sub> July 1887, and the arrangements above set forth cannot give cause for further claims on the part of the Russian authorities.

(Sd.) CHAS. E. YATE, *Lieut.-Col.*

(Sd.) V. IGNATIEW.

„ H. D. NAPIER, *Lieut.*

„ L. ARTAMONOFF.

[Seal of] MAHMUD KHAN.

#### No. CLX.

AGREEMENT between HIS HIGHNESS AMIR ABDUR RAHMAN KHAN, G.C.S.I., AMIR of AFGHANISTAN and its DEPENDENCIES, on the one part, and SIR HENRY MORTIMER DURAND, K.C.I.E., C.S.I., FOREIGN SECRETARY to the GOVERNMENT of INDIA, representing the GOVERNMENT of INDIA on the other part—1893.

Whereas the British Government has represented to His Highness the Amir that the Russian Government presses for the literal fulfilment of the Agreement of 1873 between Russia and England by which it was decided that the river Oxus should form the northern boundary of Afghanistan from Lake Victoria (Wood's Lake) or Sarikul on the east to the junction of the Kokcha with the Oxus, and whereas the British Government considers itself bound to abide by the terms of this agreement, if the Russian Government equally abides by them, His Highness Amir Abdur Rahman Khan, G.C.S.I., Amir of Afghanistan and its Dependencies, wishing to show his friendship to the British Government and his readiness to accept their advice in matters affecting his relations with Foreign Powers, hereby agrees that he will evacuate all the districts held

by him to the north of this portion of the Oxus on the clear understanding that all the districts lying to the south of this portion of the Oxus and not now in his possession, be handed over to him in exchange. And Sir Henry Mortimer Durand, K.C.I.E., C.S.I., Foreign Secretary to the Government of India, hereby declares on the part of the British Government that the transfer to His Highness the Amir of the said districts lying to the south of the Oxus is an essential part of this transaction, and undertakes that arrangements will be made with the Russian Government to carry out the transfer of the said lands to the north and south of the Oxus.

KABUL: } (Sd.) H. M. DURAND.  
12th November 1893. }  
" AMIR ABDUR RAHMAN KHAN.  
12th November 1893 = (2nd Jamadi-ul-awwal 1311).

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No. CLXI.

AGREEMENT between HIS HIGHNESS AMIR ABDUR RAHMAN KHAN, G.C.S.I., AMIR of AFGHANISTAN and its DEPENDENCIES on the one part, and SIR HENRY MORTIMER DURAND, K.C.I.E., C.S.I., FOREIGN SECRETARY to the GOVERNMENT of INDIA, representing the GOVERNMENT of INDIA on the other part—1893.

Whereas certain questions have arisen regarding the frontier of Afghanistan on the side of India, and whereas both His Highness the Amir and the Government of India are desirous of settling these questions by a friendly understanding, and of fixing the limit of their respective spheres of influence, so that for the future there may be no difference of opinion on the subject between the allied Governments, it is hereby agreed as follows:—

(1) The eastern and southern frontier of His Highness's dominions, from Wakhan to the Persian border, shall follow the line shown in the map attached to this agreement.

(2) The Government of India will at no time exercise interference in the territories lying beyond this line on the side of Afghanistan, and His Highness the Amir will at no time exercise interference in the territories lying beyond this line on the side of India.

(3) The British Government thus agrees to His Highness the Amir retaining Asmar and the valley above it, as far as Chanak. His Highness agrees on the other hand that he will at no time exercise interference in Swat, Bajaur or Chitral, including the Arnawai or Bashgal valley.



The British Government also agrees to leave to His Highness the Birmal tract as shown in the detailed map already given to His Highness, who relinquishes his claim to the rest of the Waziri country and Dawar. His Highness also relinquishes his claim to Chageh.

(4) The frontier line will hereafter be laid down in detail and demarcated, wherever this may be practicable and desirable, by Joint British and Afghan Commissioners, whose object will be to arrive by mutual understanding at a boundary which shall adhere with the greatest possible exactness to the line shown in the map attached to this agreement, having due regard to the existing local rights of villages adjoining the frontier.

(5) With reference to the question of Chaman, the Amir withdraws his objection to the new British Cantonment and concedes to the British Government the rights purchased by him in the Sirkai Tilerai water. At this part of the frontier, the line will be drawn as follows:—

From the crest of the Khwaja Amran range near the Psha Kotal, which remains in British territory, the line will run in such a direction as to leave Murgha Chaman and the Sharobo spring to Afghanistan, and to pass half way between the New Chaman Fort and the Afghan outpost known locally as Lashkar Dand. The line will then pass half way between the railway station and the hill known as the Mian Baldak, and, turning southwards, will rejoin the Khwaja Amran range, leaving the Gwasha Post in British territory, and the road to Shorawak to the west and south of Gwasha in Afghanistan. The British Government will not exercise any interference within half a mile of the road.

(6) The above articles of agreement are regarded by the Government of India and His Highness the Amir of Afghanistan as a full and satisfactory settlement of all the principal differences of opinion which have arisen between them in regard to the frontier; and both the Government of India and His Highness the Amir undertake that any differences of detail such as those which will have to be considered hereafter by the officers appointed to demarcate the boundary line, shall be settled in a friendly spirit, so as to remove for the future as far as possible all causes of doubt and misunderstanding between the two Governments.

(7) Being fully satisfied of His Highness's good will to the British Government, and wishing to see Afghanistan independent and strong, the Government of India will raise no objection to the purchase and import by His Highness of munitions of war, and they will themselves grant him some help in this respect. Further, in order to mark their sense of the friendly spirit in which His Highness the Amir has entered into these negotiations, the Government of India undertake to increase by the sum of six lakhs of rupees a year the subsidy of twelve lakhs now granted to His Highness.

KABUL :

(Sd.) H. M. DURAND.

12th November 1893.

(Sd.) AMIR ABDUR RAHMAN KHAN.

## No. CLXII.

LETTER from SIR MORTIMER DURAND, K.C.I.E., C.S.I., to HIS HIGHNESS AMIR ABDUR RAHMAN KHAN, G.C.S.I., AMIR of AFGHANISTAN and its DEPENDENCIES, dated KABUL, the 11th November 1893.

*After compliments.*—When Your Highness came to the throne of Afghanistan, Sir Lepel Griffin was instructed to give you the assurance that, if any Foreign Power should attempt to interfere in Afghanistan, and if such interference should lead to unprovoked aggression on the dominions of Your Highness, in that event the British Government would be prepared to aid you to such extent and in such manner as might appear to the British Government necessary in repelling it, provided that Your Highness followed unreservedly the advice of the British Government in regard to your external relations.

I have the honour to inform Your Highness that this assurance remains in force, and that it is applicable with regard to any territory which may come into your possession in consequence of the agreement which you have made with me to-day in the matter of the Oxus frontier.

It is the desire of the British Government that such portion of the northern frontier of Afghanistan as has not yet been marked out should now be clearly defined; when this has been done, the whole of Your Highness's frontier towards the side of Russia will be equally free from doubt and equally secure.

## No. CLXIII.

II.—AGREEMENT by SHIRINDIL KHAN as attested by MR. DONALD regarding the AFGHAN-KURRAM FRONTIER—1894.

The division of the frontier of the two allied States, *i.e.*, the God-granted Kingdom of Afghanistan and the illustrious Government of India, between the Jajis and Turis, Khostis and Turis and Khostis and Waziris from Sikaram Sar to the Laram peak according to the map which was prepared at the Capital, Kabul, on the 2nd Jamadi-ul-awal 1311 H., corresponding to 12th November 1893, on the occasion of the visit of the Mission to His Highness the Amir, has been made as follows :—

The line of boundary starts from the Sikaram peak and descends along the Azghanni watershed and thence runs along the watershed to Bargawi. From Bargawi it runs along the watershed (of) Gabzan Sar to the Peiwar Kotal and these watersheds separate the waters (drainage) of Hariob and Kurram. From the Peiwar Kotal (the boundary line) runs



along the same watershed to Manri Kandao and reaches Kimatai Kotal. From Kimatai Kotal (it runs) along the watershed of the spur of the hill north and east between Istia and Kurram and (through) Margho Kandao, Mandatti Kandao, Dre Drang, Sparo Gawi, Bar Tangi Sar, Bahlol Sar and Kharpachu Sar near the Istia Nullah. From these it descends from the above-mentioned watershed and joins the Istia Nullah, and in this way goes along the above-mentioned ravine till it (reaches) the (limits) of the culturable lands of the Istia Jajis. (Then) it leaves the above-mentioned ravine and running between the pastures of Jajis and Turis it passes to the western end of the Tewza hillock. (Thence) it (runs) between the culturable lands of the people of Pathan and Kharlachi, and reaches the Lora which it follows, and passing through Lora Khula it runs between the culturable lands of the people of Pathan and Kharlachi, and on crossing the Kurram River it runs between the culturable lands of the aforesaid people to Sulimani Chowki on the hill near the south (bank) of Kurram. (Thence) ascending the Shon watershed and from there along the watershed of the same hill which separates the drainage of Shpol and Dozegar and Kurram and passing through Zer Kamar, Babkai Sar and Inzar Kondao and Tabibulla Kandao it ascends the summit of Mount Khwaja Khidr, generally known as Khwaja Khurm. From there it runs along the watershed of the hill which makes the water parting of China, Kot, etc., on the Jaji Maidan side and Kurram—it passes through Saide Kotanra and reaches Cherai Kandao. From Cherai Kandao it runs along the watershed of the above-mentioned hill till it reaches the Manz Darwazgai Pass and from Manz Darwazgai (it runs) along the watershed of the hill which makes the water parting between the Manz Darwazgai and Istar Darwazgai ravines it reaches the Chapra Sar watershed. Near Shua Darga it descends from Chapra Sar through Niazo Ghundi or Dorani Mela Sar and along the watershed of Bando Raga to the point of junction of the Shua Darga and Manz Darwazgai ravines—and crossing the above-mentioned ravines by the Lakka Tiga road it follows the above-mentioned road to the watershed of the Ninawar Khwar and Jaji Maidan (ravine) which it ascends to the Walli Hill. It descends along the watershed of the above-mentioned hill to Tirwa Watkai. Thence it crosses the Jaji Maidan ravine to Tirwa Watkai, the second, and circling round the Malli Khel Turi graveyard which is left to Kurram, it joins the foot of the Turkomanzai (spur). It (passes) through the limits of the pastures of Zerpan to Zere Sar, Shamsbad Sar in a straight line to Dawe Sar, *i. e.*, to the east of Koh-i-Naryag Sar. From there it runs along the watershed of the hill that divides the water of Khost from that of Kurram and passes through Ghwanda Cherai, Shaona Kandao, Manjarra Kandao, Khost and Kurram Kandao and Guldin Sar. Thence it ascends along the watershed to Shobakghar, *i. e.*, the Inzar Mountain. It goes along the watershed of the above-mentioned hill and thence along the watershed of Shua Algad Sar to Batoi Kandao and along the watershed it passes through Istar Dar till it reaches the point of meeting of the watersheds of Kurram and Khost and Hassan Khels. Thence it runs along the

watershed of the hill between Karangai and the country of the Hassan Khel Wazirs and passing through Manjarra Sar and Andarpaia Kandao it descends along the watershed to Tarlai Tangi and (then) crossing the Kaitu stream it ascends along the watershed of the hill which divides the drainage of the Laram ravine from that of the Gorambai and Goreshta (nullahs). It passes through Ucha Laram Sar and Bezo Sar till it joins on to the Laram peak shown in the map. *Ends.*

I, Sardar Shirindil Khan, Naib Salar-i-Mulki, and I, J. Donald, who have been (respectively) appointed by His Highness the Amir and the illustrious Government of India for the settlement of the details of the above-mentioned frontier, have determined, fixed and marked out as above with mutual understanding the above-mentioned boundary line from the aforesaid Sikaram Sar to the aforesaid Laram peak on the 22nd Jamadul-awal 1312 H., corresponding to the 21st of November 1894 (and declare) it correct. *Ends.*

Further, it is written that the details of the above-mentioned demarcation are entered in detail on a separate map which accompanies this record. *Ends.*

KOTKAI:

*The 21st November 1894.*

J. DONALD,

*Officer on Special Duty, and British  
Boundary Commissioner,  
Indo-Afghan-Kurram Boundary.*

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#### NO. CLXIV.

AGREEMENT, dated CAMP NASHAGAM, the 9th April 1895—13th SHAWAL 1312, defining the boundary line from the HINDU KUSH to the neighbourhood of NAWA KOTAL.

For as much as, under Article (4) of the Convention concluded at Kabul on the 12th November 1893, between His Highness the Amir of Afghanistan and Sir Mortimer Durand on behalf of the Government of India, we, the undersigned, have been appointed by our respective Governments for the purpose of demarcating in concert the frontier of His Highness the Amir's dominions on the side of India in this neighbourhood of Chitrar and Bajaur, it is hereby agreed as follows:—

(I) That on the western side of the Kunar river, this frontier will be the further or eastern watershed of the stream which in the idiom of Afghans is notorious and known as the Landai Sin pertaining to the limits of Kafiristan, and which in the Survey map is also written by the name of Bashgal, so that all the country of which the drainage falls into the Kunar river by means of this stream belongs, and will belong, to Afghanistan, and the eastern drainage of this watershed, which does not fall into the Landai Sin stream, pertains to Chitrar.



(II) That on the eastern side of the Kunar river, from the river bank, up to the crest of the main range which forms the watershed between the Kunar river and the country (lit. direction) of Barawal\* and Bajaur, Baraul of our this frontier follows the southern watershed of the quarter-inch map. Arnawai stream which falls into the Kunar river

R. U. close to the village of Arnawai, leaving to Chitral all the country of which the drainage falls into the Kunar river by means of this stream, while the southern drainage of this last-mentioned watershed, which does not fall into the Arnawai stream, pertains to Afghanistan.

(III) That this frontier line, on reaching the crest of the main range which in this neighbourhood forms the watershed between the Kunar river and the country (lit. direction) of Barawal and Bajaur, turns southward along this watershed, which it follows as far as a point in the neighbourhood of the Nawa Kotal, leaving all the country draining into the Kunar river within the limits of Afghanistan and all the country draining towards Barawal and Bajaur outside the limits of Afghanistan; but beyond the aforesaid point in the neighbourhood of the Nawa Kotal the frontier has not at present been demarcated.

(IV) That on both sides of the Kunar river this frontier, as described in the three preceding articles, for the most part requires no artificial demarcation, because it is a natural boundary following the crests of mountain ranges; but since at present inspection *in situ* is impossible, when the ground is examined on the spot, it is probable that in the places where these mountain ranges abut on the Kunar river from either side, demarcation by pillars for a short distance from the water's edge on both sides of the river will be found desirable for the purpose of separating the boundary of Afghanistan from Arnawai pertaining to Chitral and the limits of the Kafir country (lit. Kafiristan) of the Landai Sin from Chitral. In that case these pillars will be erected along the line of the watershed described in the first and second articles of the present agreement, subject to any slight divergencies from this line which may be necessary to protect the local rights of villages adjoining the frontier.

(V) That the frontier pillars, wherever considered desirable, will be erected hereafter by an officer of the Government of India and an officer of His Highness the Amir acting in concert.

(VI) That these watersheds forming the frontier agreed upon as described in the first three articles of the present agreement, have been marked by a red line on the survey map attached to this agreement, which, like the agreement itself, has been signed by us both. In three places, *vis.*, (i) for a short distance from either bank of the Kunar river, (ii) in the neighbourhood of the Binshi Kotal, and (iii) in the neighbourhood of the Frepaman Kotal, this red line has been broken up into dots because the exact position of the watershed in these localities has not been ascertained with perfect accuracy; but wherever the watershed may lie the frontier will follow it, subject only to any slight variations from the watershed which may be considered necessary under Article (4) of the present agreement.



(VII) That, since on the map attached to the Convention\* the Arnawai stream was drawn on the western side of the river in the place of the Landai Sin of the Kafir country (lit. Kafiristan) which has been decided to pertain to the Afghan Government, and, since after enquiry and inspection of the same it was clearly ascertained by the Survey party that the aforesaid stream is situated on the eastern side of the Kunar river, and falls into the river near the village of Arnawai, and that the drawing of it on the western side (of the river) in the place of the Landai Sin was a mistake, this Arnawai stream has (now) been drawn and marked on the present survey map in its own proper place, and that stream which was drawn in the Convention map on the western side of the river was the Landai Sin stream of the Kafir country (lit. Kafiristan) which has now been decided to pertain to the Government of Afghanistan and to be included in the limits of Afghanistan. Accordingly in the present survey map it has been marked with the name of Landai Sin and has also been written with the name of Bashgal. Moreover, Sao and Nari and Birkot, and the village of Arnawai, were not written on the map attached to the Convention, (but) now in the new Survey map the names of all these four above-mentioned villages have been entered, the village of Arnawai being written on the Chitrar side of the boundary line, and Sao, Nari and Birkot on the side of the Government of Afghanistan.

### No. CLXV.

#### JOINT AGREEMENT executed by the JOINT AFGHAN and BRITISH COMMISSIONERS of the INDIAN AFGHAN BOUNDARY COMMISSION—1895.

We, the undersigned Commissioners, deputed by our respective Governments to demarcate the boundary line between the territories of the Government of India and His Highness the Amir of Afghanistan, westwards, from the junction of the Kunder and Gomal rivers, have arrived at the following mutual agreement regarding that boundary line, in accordance with the maps and instructions furnished to us by our respective Governments.

*Clause No. 1.*—The boundary line to which we have mutually agreed runs from Domandi, *i.e.*, the junction of the Gomal and Kunder rivers, along the line of the watercourse of the Kunder river as far as the junction of the Kunder and Kundil rivers. It thence runs along the watercourse of the Kundil river, which is here generally known as the Zhizha as far as the junction of the Kundil and Sharan Toi rivers. From the junction of the Gomal and Kunder to the junction of the Kundil and Sharan Toi rivers we consider that it is not only unnecessary but impracticable to erect boundary pillars. The centre of the flowing stream of the Kunder and Kundil rivers forms in itself a well defined and natural boundary, and any



boundary pillars erected along this line would be liable to be carried away by floods.

*Clause No. 2.*—From the junction of the Sharan Toi and Kundil rivers the boundary line, which we have mutually agreed to, follows the centre of the river bed of the Sharan Toi river upwards from its junction with the Kundil about one and a quarter miles to boundary pillar No. 1, which has been erected on a rocky knoll on the south bank of the Sharan Toi river. From thence it runs north-west in a straight line to boundary pillar No. 2, which has been built on a prominent peak on the east bank of the river at the lower entrance of the Tangi through which the river issues on to the plain. Thence it runs northward to boundary pillar No. II (1), which is on a conspicuous peak on the west bank of the river at the upper entrance of the same Tangi. Thence it runs in a straight line northwards to boundary pillar No. III, which has been erected on the top of a prominent peak, known as Orzal Ghara, which is situated between the two main branches of the Sharan Toi river, *i.e.*, the Sara Chahan nullah and its branches on the west and the Ghbargai nullah and its branches on the east.

From boundary pillar No. III, *i.e.*, Orzal Ghara, the boundary line runs westwards in a straight line to boundary pillar No. IV on a conspicuous peak of the Pinakai range, and thence runs north-west in a straight line to boundary pillar No. V, which has been erected on the most northern of a line of high prominent peaks which form the southern branch of the Shahghar range. The line, marked by boundary pillars Nos. III, IV, V, follows approximately the watershed between the Orzal Ghara and Shahghar of the water which drains to the north and east and the water which drains to the south and west.

From boundary pillar No. V, the boundary line then runs south-west following the crest of the line of peaks, which form the southern branch of the Shahghar range. Pillars Nos. V (1), V (2) and VI have been erected on prominent peaks of this line. Pillar No. VI is on the top of the most southern peak of this branch, which here juts out into the Kosaka plain.

From pillar No. VI, the boundary line runs westwards in a straight line to boundary pillar No. VII, which has been erected on a conspicuous knoll situated about 450 yards almost due north of the old Lowana and Taraki fort commonly known as Killa Zara, and about eight hundred and fifty yards from the nearest point of the northern bank of the Tirwah river.

*Clause No. 3.*—With regard to the boundary line from boundary pillar No. VII, considerable difficulty has been experienced by us at arriving at a settlement owing to the joint ownership by the Shabeh Khel Tarakis and Lowanas of the Tirwah lands. By an ancient settlement of very many years ago, which these two tribes had agreed upon between themselves, the water of the Tirwah canal was divided by agreement into 21 shares, *i.e.*, 21 Shabana roz, as follows, *i.e.*, twelve shares, *i.e.*, twelve Shabana roz,



were fixed as the property of the Lowanas and nine shares, *i.e.*, nine Shabana roz, as the property of the Shabeh Khel Tarakis. This division of the water still remains in force, and we have jointly agreed that it should remain in force hereafter as before.

As regards the land, the Lowanas and Shabeh Khel Tarakis were not agreed as to the boundary line separating their respective shares, and it has been necessary for us to settle this matter. After some discussion the Lowanas and Shabeh Khel Tarakis agreed to settle their boundary by oath. The joint agreement recorded by them is attached to this agreement. Oath was given by the Lowanas to the Shabeh Khel Taraki maliks, Ghulam Rasul, son of Gul Khan, and Sadik, son of Alam Khan, who, taking the Koran, marked out their boundary, from the point where the Tirwah canal leaves the bank of the Tirwah river near Killa Zara. We have jointly agreed to this settlement of the boundary line thus arrived at, between the Lowanas and Shabeh Khel Tarakis.

We have also jointly agreed to the following matters connected with the other rights above named, of the Shabeh Khel Tarakis and Lowanas, *i.e.*, (1) the joint rights to the water of the Tirwah river of the two tribes, Lowanas and Shabeh Khel Tarakis, residing in Tirwah, as far as the head of the water jointly owned by these two tribes, *i.e.*, up to the place which is known by the name of Wruskai Karbore, *i.e.*, the western point of the Karbore hill, above which point the Lowanas and Tarakis have no concern, will be according to the following shares—*vis.*, the Lowanas to have twelve Shabana roz, and the Tarakis nine Shabana roz as hitherto from ancient times. Both tribes shall be responsible for the clearing of the water canal according to ancient custom and according to the above mentioned shares. (2) Neither of the parties, *i.e.*, neither Lowanas nor Tarakis, shall, independently of each other, or against the wishes of each other, make a new course anywhere as far as the point where the old water canal ends in the cultivated land, *i.e.*, the point where boundary pillar No. A. III has been erected, for the old water canal of Tirwah, which passes through the Lowana and Taraki lands. (3) The thoroughfare of both these tribes, *i.e.*, Lowanas and Shabeh Khel Tarakis, through any place where there may be no cultivation, will be allowed in any direction within the Taraki and Lowana boundaries in Tirwah.

We have jointly agreed that the boundary line between the lands of the above two tribes should be the boundary line between the territories of our respective Governments. This boundary line runs as follows:—Starting from boundary pillar No. VII it runs southwards in a straight line about three hundred and eighty yards to a boundary pillar No. A I on the north bank of the Tirwah joint canal opposite Killa Zara, which is situated a few yards away on the other side of the canal. Thence it follows the line of the joint canal as far as boundary pillar No. A II, which has been built on the south bank at the point where present cultivation commences. Thence it runs eastwards along the same joint canal as far as boundary pillar No. A III, which has been built at the point where the existing joint



canal ceases. From here it runs eastwards in almost a straight line to a prominent peak on the Ghwaimar hill, where boundary pillar No. A IV has been built. Between boundary pillars A III and A IV five smaller boundary marks A III (1), A III (2), A III (3), A III (4), A III (5) have been made to mark the line of boundary as laid down by the maliks on oath.

From pillar A IV the boundary line runs south-westwards in a straight line to a southern peak of the Ghwaimar hill where a boundary pillar No. A V has been erected. From here it runs westwards in a straight line to a rocky prominence on east bank of the Tirwah river where boundary pillar A VI has been erected. The boundary line then runs upwards along the centre of the bed of the Tirwah river until it arrives opposite to the point at which the Tirwah canal turns off from the bank of the Tirwah river near Killa Zara. At this point boundary pillar No. A VI (1) has been erected on the south bank of the Tirwah river. The boundary line here leaves the river and goes west in a straight line two hundred and eight yards to boundary pillar No. A VI (2) erected on a knoll. From here the boundary line runs in a straight line north-westwards up a spur of the Sraghar hill to boundary pillar No. VIII and thence up the same spur in a straight line to boundary pillar No. IX, which is on the top of the most northern of the high peaks of the Sraghar range. From here the boundary line runs in a straight line west five miles to boundary pillar No. B I erected in the plain and thence in a straight line north-west for two and two-fifth miles to boundary pillar No. B II erected on a small prominent hill. From here the boundary line runs in a straight line to Khizr Chah (well) and from Khizr Chah (well) in a straight line north-westwards to boundary pillar No. XI, which is built on the top of a prominent hill locally called Roza Khurak. The boundary pillar No. X which should have been built at Khizr Chah (well), has not been erected there owing to the low lying position of the land round Khizr Chah, but has been built outside the British boundary on the top of a prominent hill two hundred and fifty-eight yards north-east of Khizr Chah in order that it may be seen from the boundary pillar on the Sraghar mountain, and that on Roza Khurak. The old karezes and cultivated lands belonging to the Tarakis on the Tirkha nullah and elsewhere between Sraghar and Khizr Chah are thus left on the north of the boundary line marked by pillars Nos. IX, B I, B II, and the pillar marking Khizr Chah, *i.e.*, No. X, and are, therefore, included in Afghan territory.

We have agreed that the Khizr Chah (well) should be open to all persons whether living in British or Afghan territory.

From boundary pillar No. XI, it runs north-west in a straight line to boundary pillar No. XII, which has been erected on a prominent peak of a southern spur of the Inzlan range.

*Clause No. 4.*—We have jointly agreed that from boundary pillar No. XII, the boundary line runs south westwards in a straight line to boundary pillar No. XIII erected on a prominent knoll on the edge of the Surzangal plain. From here it runs south-westwards in a straight line to



boundary pillar No. XIV which has been erected on the east bank of the Kand river between the Inzlan and Multani hills. From this point the boundary line follows the centre of the river bed of the Kand river, which forms a well defined natural boundary as far as the junction of the Loe Wuchobai nullah and the Kand river, some two miles east of Rashid Killa. Boundary pillar No. XV has been erected on the east bank of the Loe Wuchobai nullah, at the point where it joins the Kand river.

We have jointly agreed that the Kakars should continue to enjoy, as hitherto, the right of grazing over the tract of land named Man Zakai, situated on the north bank of the Kand river between Rashid Killa and Ata Muhammad Killa.

We have also jointly agreed that the water of the Kand river belongs jointly to the subjects of the British Government and His Highness the Amir of Afghanistan. The Afghan subjects have the right of repairing and maintaining their existing *bands* at Tang Bara, and the two Anizai Wastas and Wand, for the purpose of irrigating their lands on the north bank of the Kand. Should subjects of either the British Government or His Highness the Amir of Afghanistan wish to erect a new *band* in the Kand river, they must first obtain the permission of the district officers, who may be concerned, of both Governments.

*Clause No. 5.*—We have jointly agreed that from boundary pillar No. XV the boundary line leaves the Kand river and runs along the east bank of the Loe Wuchobai nullah, through boundary pillar No. XV (1), to boundary pillar No. XVI, which has been erected on a small knoll on the east bank of the nullah. From here the boundary line leaves the bank of the Loe Wuchobai nullah and runs in a straight line to boundary pillar No. XVII, which has been built at a distance of three quarters of a mile to the east of the Loe Wuchobai nullah on a prominent knoll. From here the boundary line runs in a straight line crossing the Loe Wuchobai nullah to boundary pillar No. XVIII, which has been erected on the watershed between the Tanda and Loe Wuchobai nullahs. From No. XVIII, the boundary line runs in a straight line to boundary pillar No. XIX, which has been erected on a prominent peak on the main watershed between the nullahs flowing into the Loe Wuchobai nullah on one side and the nullahs flowing into the Tanda nullah on the other. The boundary line then runs eastwards and then southwards along the crest of this watershed through boundary pillars Nos. XIX (1) and XIX (2) erected on prominent peaks to boundary pillar No. XIX (3), which is also on a prominent peak of the same watershed. From boundary pillar No. XIX (3) the boundary line turns eastwards and runs, as shewn in the map attached, in a straight line through boundary pillar No. XX to boundary pillar No. XXI, which has been erected about a quarter of a mile to the east of the main branch of the Tirkha nullah on the edge of the Pinakai plain. From here the boundary line crosses the western extremity of the Pinakai plain, and runs south-eastwards in a straight line to boundary pillar No. XXII, which has been erected on a prominent peak of the mountain lying between the



Alajirgha and Ghazluna nullahs. From thence it runs in a straight line to pillar No. XXIII, erected on a knoll in the plain between the above two nullahs. From here it runs southwards in a straight line to boundary pillar No. XXIV, which has been erected between and at the junction of the Alajirgha and Ghazluna nullahs. From here the boundary line follows the centre of the Psein Lora. Pillars Nos. XXIV (1), XXIV (2), and XXIV (3) have been erected to more clearly mark the course of this river. From boundary pillar XXIV (3), the course of the Psein Lora is naturally clearly defined and further boundary pillars have been considered unnecessary. The boundary line follows the Psein Lora, which, from the junction of the Tokarak river, is known as the Kadanai river, and runs along the centre of the river bed of the Psein Lora and Kadanai for nearly thirty-nine miles to boundary pillar No. XXV, which has been erected on the south bank of the river on a prominent knoll about one mile above the junction of the Loe Ghbargai nullah with the Kadanai river. Here the boundary line turns westwards and leaves the Kadanai river.

We have also jointly agreed on the following matters relating to the portion of the boundary line defined in this clause :—

*Firstly*, that the rights attaching to the Psein land which is within Afghanistan and close to and to the west of boundary pillars Nos. XVI, XVII, and XVIII of water from the Kakars, who own the right to the water of the Loe Wuchobai nullah above that, will remain as hitherto.

*Secondly*, that the Kakar Tribe should continue to enjoy the rights of grazing, as hitherto, throughout the country lying between the Kand river, and Loe Wuchobai nullah, and Babakr Chahan and Sam Narai.

*Thirdly*, that the Pseins should continue to enjoy the right of grazing, as hitherto, in the tract of land commonly known as Psein Dag, which is situated on the south of the Psein Lora.

*Fourthly*, that the water of the Psein Lora and Kadanai river belongs jointly to the people residing on both banks of the river.

If any of the subjects of the British or Afghan Governments wish to construct a new water channel leading from the Psein Lora or Kadanai river, they must first obtain the permission of the district officers concerned of both Governments.

*Clause No. 6.* We have jointly agreed that the boundary line leaves the Kadanai river at boundary pillar No. XXV, and runs westwards in a straight line to boundary pillar No. XXVI, and thence in a straight line to boundary pillar No. XXVII, and thence in a straight line to boundary pillar No. XXVIII, which has been erected on a conspicuous knoll on the south bank of the Kadanai river. The boundary line turning north-westwards crosses the Kadanai river and ascends the hills on the north of the river in a straight line up the spur which forms the western watershed of the Kalagai nullah to boundary pillar No. XXIX, which has been erected on a conspicuous knoll on that watershed. Thence the line runs in a straight line to boundary pillar No. XXX, which has been erected on the southern



watershed of the Kalaka nullah. The boundary line now turns westwards and runs along the crest of the southern watershed of the Kalaka nullah through boundary pillars Nos. XXXI, XXXII to pillar No. XXXIII. Beyond pillar No. XXXIII the boundary line leaves the watershed of the Kalaka nullah and runs along the crest of the watershed dividing the two Sarghash Luna nullahs through boundary pillars Nos. XXXIV and XXXV.

Here the line crosses the southern Sarghash Luna nullah and runs in a straight line to boundary pillar No. XXXVI, which has been erected on a conspicuous knoll on the south of that nullah. From here again turning westwards the line runs in a straight line to boundary pillar No. XXXVII, which has been erected on the east bank of the Kadanai river. From here crossing the Kadanai river the boundary line runs in a straight line to boundary pillar No. XXXVIII, which has been erected on a conspicuous peak on the south bank of the Kadanai river opposite the junction of the Kadanai river and the Kalaka nullah. At this pillar the boundary line turns south-westwards and runs for about one and three-quarter miles along a well defined watershed through pillar No. XXXIX to pillar No. XL, which has been erected on a conspicuous peak of the Asdabra hills. Then turning north-westwards the boundary line runs along a well defined watershed for about one and a quarter miles through boundary pillars Nos. XLI, XLII, to No. XLIII, which has been erected on the south bank of the Kadanai river.

From pillar No. XLIII the boundary line runs along the centre of the river bed of the Kadanai river for about one mile to boundary pillar No. XLIV, which has been erected on a conspicuous knoll on the south bank of the Kadanai river. Thence it runs in a straight line crossing the Kadanai river to boundary pillar No. XLV, erected on a knoll on the north bank of the Kadanai river. Thence it ascends the hills on the north of that river in a straight line to boundary pillar No. XLVI, and thence in a straight line to boundary pillar No. XLVII, which has been erected on a conspicuous peak on the watershed between the Tsah and Minjai nullahs on the west and the Tanga nullah on the east. The boundary line thence follows the crest of this watershed through pillar No. XLVIII to pillar No. XLIX. Thence turning northwards it follows the crest of the watershed of the Tsah nullah to boundary pillar No. L, which is on a conspicuous peak on the crest of the watershed between the nullahs flowing into the Kadanai river on the south and the Salasun river on the north. The boundary line now runs along the crest of this watershed through boundary pillars Nos. LI, LII to pillar No. LIII, which has been erected on a high conspicuous peak commonly known as Manik Suka. From pillar No. LIII the boundary line runs along the crest of the well defined watershed between the Khwara and Shishga and Shahidan nullahs on the south and the nullahs flowing into the Sinzalah nullah on the north, through boundary pillar No. LIV to boundary pillar No. LV. From here the boundary line runs along the crest of the southern watershed of the Loe Manah nullah to the head of the Dori nullahs. It then runs along the crest of the water-



shed between two of the three Dori nullahs, *i.e.*, the western and middle of the three Dori nullahs through boundary pillars Nos. LVI, LVII, and LVIII to the junction of the western and middle Dori nullahs. It then follows the centre of the river bed of this nullah for a short distance to its junction with the Kadanai river.

From here the boundary line crossing the Kadanai river runs in a straight line to boundary pillar No. LIX, erected on a conspicuous knoll on the south of the Kadanai river and to the east of the junction of the Tozana nullah and Kadanai river. It then ascends the hills and runs along the crest of the eastern and southern watershed of the Tozana nullah through boundary pillars Nos. LIX (1), LX, LXI, LXII, to LXIII to pillar No. LXIV.

From here the line runs along the southern watershed of the Wala-nullah to pillar No. LXV, which has been erected on a conspicuous peak on the crest of the watershed of the main range, which is the northern continuation of the Khwaja Amran range, and which here separates the drainage flowing into the Kadanai river on the west and into Toba on the east. The boundary line turning southwards follows the crest of this main watershed and runs through boundary pillars Nos. LXVI, LXVII, LXVIII, LXIX, LXX, and LXXI, all erected on conspicuous peaks. The line then continues to run along the crest of the watershed and, passing through pillar No. LXXII, which has been erected on the crest of the Psha Kotal, it runs along the watershed to pillar No. LXXIII, erected on a high conspicuous peak immediately south of that Kotal.

From here the boundary line runs in a straight line which has been marked by pillars Nos. LXXIV, LXXV, LXXVI, LXXVI (1), LXXVII, LXXVIII, erected on conspicuous peaks and knolls to pillar No. LXXIX, which has been erected on a conspicuous peak above the upper Sherobo spring.

From here the boundary line runs in a straight line through pillars Nos. LXXX, LXXXI, LXXXII, LXXXIII, LXXXIV, LXXXV, LXXXVI, LXXXVII, LXXXVIII to pillar No. LXXXIX, which has been erected on the point half-way between the new Chaman Fort and the Lashkar Dand out-post.

From this point the boundary line runs in a straight line through pillars Nos. XC and XCI to pillar No. XCII, which has been erected at the point half-way between the New Chaman Railway Station and the hill known as Mian Baldak.

With regard to the Sherobo spring, we have jointly agreed that the rain or subterranean water, which now flows down from above or may hereafter do so in the Sherobo nullahs, belongs to the Sultanai Nurzai residents of Sherobo, and that no one on the part of the British Government will stop this water from above.

*Clause No. 7.*—Six maps are attached to this agreement to illustrate the position of the boundary line and the boundary pillars defined in each of the above six clauses. This joint agreement, and the maps attached to



it, supersede the joint agreements and the maps signed by us at various times previous to this.

(Sd.) A. H. McMAHON,  
Captain,

(Sd.) SARDAR GUL MUHAMMAD  
KHAN,

*British Commissioner,*

*Deputy Governor,*

*Indo-Afghan Boundary Commission,*

*Afghan Commissioner,*

*Baluchistan Section.*

*Indo-Afghan Boundary Commission.*

*February 26th, 1895.*

*30th Shaban, 1312 A. H.*

*26th February, 1895 A. D.*

TRANSLATION of a JOINT AGREEMENT executed by the  
LOWANAS and TARAKIS with regard to LANDS in TIRWAH.

This day, the 24<sup>th</sup> of the month of Rabi-ul-Awal, 1312 Hijrah (corresponding with the 25<sup>th</sup> September 1894), the matter of decision regarding lands situated in Tirwah between the Lowana and the Shabeh Khel Tarakis, inhabitants of Tirwah, was discussed in the presence of Khan Bahadur Hak Nawaz Khan and Abdur Rahman Khan, representatives of the British Commissioner, and Khan Sahib Mansur Khan, appointed on behalf of Sardar Gul Muhammad Khan. After discussion we agreed in this manner that we Lowana maliks, namely, Khan Zaman, Shamak, Garrai Khan and Morad Khan, on our own behalf and on behalf of the rest of the Lowana people appointed Ghulam Rasul and Sadik, the maliks of the Shabeh Khel Tarakis, as absolute agents, that both of them may take up in their hands the holy Koran and divide the aforesaid disputed lands. Whatever line of boundary they may fix in those disputed lands between us, the Lowana people and the Shabeh Khel Tarakis, we, both the tribes, accept. If hereafter any one of us of either tribe should infringe this, our decision, all the disputed lands shall belong to that (of the two) tribe which abided by its agreement. These few lines have therefore been written as agreement and to serve as a bond for the future.

*(Here follow the Signatures.)*

□ Seal of Khan Zaman, son of Azak Khan, Lowana Malik.

⊕ Mark of Garrai Khan, son of Saleh, Lowana Malik.

□ Seal of Shamak, son of Azak Khan, Lhwana Malik.

⊖ Mark of Morad Khan, son of Omar Khan, Lowana Malik.

(Signed) Abdur Rahman, Extra Assistant Commissioner, Upper Zhob.

(Signed) Hak Nawaz Khan, Extra Assistant Commissioner.



(Signed) Mansur Khan, Hakim of Mukur.

- + Mark of Sadik Khan, son of Alam Khan, Taraki Shabeh Khel.
- Seal of Ghulam Rasul Khan, son of Gul Khan, Taraki Shabeh Khel.
- + Mark of Khudai Rahm, son of Ghulam, Taraki Shabeh Khel.
- Seal of Mulla Alwan, son of Wahab, Taraki Shabeh Khel.
- + Mark of Sultan Mahmud, son of Shah Morad, Taraki Shabeh Khel.
- + Mark of Saidad, son of Khalikdad, Taraki Shabeh Khel.

### No. CLXVI.

#### TRANSLATION of JOINT AGREEMENT executed by the joint BRITISH and AFGHAN COMMISSIONERS of the INDIAN AFGHAN BOUNDARY COMMISSION—1896.

We, the undersigned, Commissioners, deputed by our respective Governments to demarcate the boundary line between the territories of the Government of India and of His Highness the Amir of Afghanistan, westwards, from new Chaman to the Persian border, have arrived at the following mutual agreement regarding that boundary line:—

*Clause No. 1.*—The boundary line to which we have mutually agreed runs from boundary pillar No. XCII, erected at a point half way between the new Chaman railway station and the Mian Baldak hill, in a straight line in the direction of the Ghwazha outpost. This line has been marked by boundary pillars Nos. XCII, XCIII, XGIV, XCV, XCVI, XCVII, XCVIII, XCIX, C, CI, CII, CIII, CIV, CV, CVI, CVII, CVIII, CIX, CX, CXI, CXII, CXIII, CXIV, to CXIV (1), which has been erected a few yards on the west, *i.e.*, Afghan side of the road commonly known as the Sina Lar which goes from Ghwazha towards Chaman. The boundary line, leaving this road within British territory, runs a few yards at a short distance to the west of, *i.e.*, on the Afghan side of, that road to boundary pillar No. CXV which has been erected at a point at a distance of half a mile on the Chaman side of the Ghwazha outpost. From here the boundary line runs in a straight line to pillar No. CXVI which has been erected at a point half mile due west of the Ghwazha outpost. Thence it runs in a straight line to boundary pillar No. CXVII, which has been erected at a point half mile south of the Ghwazha outpost and ten yards on the east, *i.e.*, the British side of the road running from Ghwazha to Shorawak.

With regard to the water of the Iskamkanr and Ghwazha nullahs we have jointly agreed that the owners of that water should continue to enjoy the same right to that water as they now do, and the owners of that water

whether they be in British or Afghan territory should continue, as hitherto, to enjoy the ownership of that water. No one else should interfere with either water.

*Clause No. II.*—We have jointly agreed that from boundary pillar No. CXVII the boundary line runs, as shown on the attached map, in a straight line southwards and slightly eastwards about one and a quarter miles to boundary pillar No. CXVIII erected on a small prominent knoll about three quarters of a mile from the road leading from Ghwazha to Shorawak commonly known as the Sila Lar. The boundary line then runs in a straight line southwards and slightly westwards to boundary-pillar No. CXIX erected on a small knoll about half a mile to the east of the Sina Lar. It thence runs in a straight line in the same direction to boundary pillar No. CXX erected on a small knoll half a mile from the Sina Lar.

\*Written Wuchdarra on the North bank of the Wuchdarra\* nullah. in Persian Agreement. From here the boundary line runs in a straight line south-eastwards across the Wuchdarra nullah to boundary pillar No. CXXI erected on a prominent knoll on the south bank of the Wuchdarra nullah on the spur which forms the southern watershed of that nullah. It thence runs in a south-eastward direction up along the crest of the southern watershed of the Wuchdarra nullah and its branches, as demarcated by boundary pillars Nos. CXXII, CXXIII, CXXIV, CXXV, CXXVI, CXXVII, CXXVIII, CXXIX, to boundary pillar No. CXXX, which has been erected at the point where the above watershed meets the crest of the main watershed of the Khwaja Amran range. The boundary line now turns southwards and slightly westwards and runs along the crest of the main watershed of the Khwaja Amran range through boundary pillars Nos. CXXXI, CXXXII, CXXXIII, erected on peaks on that crest to boundary-pillar No. CXXXIV, erected on a peak of the crest which marks the head of the Inzar and Kargu nullahs which flow into the Shista nullah. The boundary line thence runs down the southern watershed of the Inzar nullah, through boundary pillars Nos. CXXXV, CXXXVI, and CXXXVII, into the bed of the Shista nullah. The boundary line from here follows the centre of the bed of the Shista nullah until its junction with the Lora. It then follows the centre of the watercourse of the Lora for a short distance down the Lora to the junction of the Ghaldarra nullah and the Lora. From here the boundary line leaves the Lora and ascends along the centre of the bed of the Ghaldarra and along the centre of the bed of the middle one of the three main

† *Office note.*—This point is on a saddle between two peaks, one N. W. and the other E. S. E. of the pillar. The peaks are away from the actual watershed.

branches of that nullah to a point † on the crest of the watershed of the Sarlat range. Boundary pillar No. CXXXVIII has been erected on this point. The boundary line thence runs in a south and slightly westerly direction for about 22 miles along the crest of the main watershed of the Sarlat range to boundary pillar No. CXXXIX. This watershed is naturally well defined and it has not therefore been considered necessary to demarcate it with boundary pillars. From boundary pillar



No. CXXXIX, which has been erected on a peak on the Sarlat watershed half-way between the head of the pass known as the Psha Pass and the head of the pass known as the Ashtarlak or Shutarlak Pass, the boundary line leaves the crest of the Sarlat watershed and runs south-eastwards in a straight line across the upper branches of the Sokhta nullah to boundary pillar No. CXL, which has been erected on a peak of the range which is here commonly known as Yahya Band which forms here the eastern watershed of the Sokhta nullah and its upper branches. From this point the boundary line continues in the same straight line to boundary pillar No. CXLI erected on a prominent peak at the head of the nullahs known as Kuchnai Dasht and Khatonaki. From this point the boundary line continues in the same straight line across the upper branches of the Kurram nullah to boundary pillar No. CXLII erected on a peak on the crest of the watershed which divides the water draining into the Kurram nullah on the west and that draining into Shorarud on the east. This peak is at the head of the Inzargai and the Zalai nullahs. From here the boundary line runs in a south-westerly direction for some 12 miles along the crest of the watershed which divides the water draining to the west into the upper branches of the Kurram and Goari nullahs, and that draining to the east into the Shorarud and Sangbur nullahs as far as boundary pillar No. CXLIII erected on a prominent peak situated on the same watershed at the head of the most eastern of the upper branches of the Tirkashi nullah. From here the boundary line runs in a straight line westwards and slightly southwards, crossing the head of the Tirkashi nullah to boundary pillar No. CXLIII (a) erected on a prominent peak commonly known as Dek at the head of the Tirkashi nullah. Continuing in the same straight line the boundary line crosses the head of the Dilshad nullah to boundary pillar No. CXLIII (b) erected on a prominent peak at the head of the Karawan Kush and Jori nullahs. From here the boundary line still continues in the same straight line and, crossing the Goari Manda nullah at a point where boundary pillar No. CXLIII (c) has been erected, runs to boundary pillar No. CXLIV erected on a prominent peak on the crest of the watershed of the Sarlat range and immediately south of the head of the nullah in which is situated the Main Haibat Khan Ziarat and which flows eastwards into the Goari Mandah. This peak also happens to be situated exactly on the straight line between boundary pillar No. CXLIII, and a point two miles due south of the top of the low hill close to and south of the Kani well.

*Clause No. III.*—We have jointly agreed that from boundary pillar No. CXLIV erected on the crest of the main watershed of the Sarlat range, the boundary line runs, as shown in the attached map, in the same straight line westwards and slightly southwards to a point two miles due south of the top of the low hill which is close to and south of the Kani well. At this point boundary pillar No. CLVII has been erected. This straight line has been further marked by the following boundary pillars as shown in the map attached, *i. e.*, boundary pillar No. CXLV, which has been erected at



a short distance from boundary pillar No. CXLIV, on a slightly lower ridge of the Sarlat range; boundary pillar No. CXLVI, erected about two miles further down on the western slopes of the Sarlat; boundary pillar No. CXLVII erected on the north slope of a small prominent isolated hill known as Kambar Koh at the foot of the Sarlat; boundary pillars No. CXLVIII, CXLIX, CL, which have been erected on ridges of the sandhills which lie between the foot of the Sarlat range and the Lora river; boundary pillar No. CLI erected in the plain about  $1\frac{1}{4}$  mile due east of the Lora river; boundary pillar No. CLII erected on the west bank of the Lora river; boundary pillar No. CLIII erected about 100 yards north of the Balandwal tower; boundary pillars Nos. CLIV and CLV erected on the plain: and boundary pillar No. CLVI erected at a point about 400 yards south of Partos Nawar, where the boundary line enters the sand-hills of Registan. Beyond this point, as far as boundary pillar No. CLVII, boundary pillars have not been erected owing to the sand. This straight line, from boundary pillar No. CXLIV to boundary pillar No. CLVII passes about one mile south of the hill known as Jari Mazar, about two miles south of Siah Sang, about  $7\frac{1}{2}$  miles south of the Sayd Buziarat and about  $1\frac{1}{4}$  miles south of the Paprang Band. After entering the sand-hills of Registan at boundary pillar No. CLVI, some 400 yards south of Partos Nawar, the boundary line runs in a straight line through sandhills to boundary pillar No. CLVII, which, as before mentioned, has been erected at a point two miles due south of the top of the small hill close to and south of the Kani well. From boundary pillar No. CLVII, the boundary line, which we have jointly agreed upon, runs in a straight line westwards and slightly northwards to the Shibian Kotal. This line crosses the north portion of the Lora Hamun. Boundary pillar No. CLVIII has been erected on the line at about  $1\frac{1}{2}$  miles north of the Kunzai hill which is situated on the west bank of the Lora Hamun. The boundary line thus passes to the north of the Gazechah wells. Boundary pillars Nos. CLIX and CLX, erected on high prominent peaks, mark where this line crosses the mountains between the Lora Hamun and the Shibian Kotal. Boundary pillar No. CLXI has been erected at the crest of the Shibian Kotal and is on the crest of the watershed dividing the water of the Shand nullah on the north from the water of the Shibian nullah on the south, which flows into the Lora Hamun. From the Shibian Kotal the boundary lines, which we have jointly agreed upon, runs westwards, as shown in the attached map, along the south watershed of the Shand nullah to the head of that nullah and thence follows the crest of the main watershed which divides the nullahs which flow northwards through Pasht-i-koh from the Telaran, Mahian, Buznai and other nullahs and their branches which flow southwards. The boundary line follows this well defined watershed as far as the Mazari Kotal to boundary pillar No. CLXII, which has been erected on a peak on the crest of the same watershed just south of the Mazari Kotal. Between the Shibian and Mazari Kotals the watershed which forms the boundary is naturally well defined by a continuous line of high mountains with prominent peaks and it was considered unnecessary to further demarcate it.



*Clause No. IV.*—We have jointly agreed that the boundary line, from boundary pillar No. CLXII, near Mazari Kotal, runs for about  $7\frac{1}{2}$  miles along the same watershed, *i.e.*, that dividing the Mazari, Kushtagan and other nullas on the south, from the Barabchah nullah on the north, as shown in the attached map, as far as boundary pillar No. CLXIII, which has been erected on a prominent peak on that watershed. The boundary line then leaves this main watershed and runs north-west for about  $3\frac{1}{2}$  miles along the crest of a spur, which separates the main, *i.e.*, northern branch of the Barabchah nullah, from the southern branches as far as boundary pillar No. CLXIV, which has been erected on a prominent peak at the end of that spur. From here the boundary line runs in a straight line westwards and slightly northwards for about 29 miles to boundary pillar No. CLXXII, which has been erected at a point six miles due south of Robat. Along this straight line, to mark the boundary, boundary pillars Nos. CLXV, CLXVI, CLXVII, CLXVIII, CLXIX, CLXX, CLXXI, have been erected at prominent points, as shown on the attached map.

From boundary pillar No. CLXXII, the boundary line, turning westwards and slightly southwards, runs in a straight line, except for a short distance at Jilijil, as noted below, to a point 12 miles due north of Amir Chah, through boundary pillars Nos. CLXXIII, CLXXIV, CLXXV and CLXXVI, as shown on the map attached. Boundary pillar No. CLXXV is situated on a hill known as Par close to and north of the Chah-i-Marak. Boundary pillar No. CLXXVI is at the foot of the southern slopes of the hill known as Lorai which is on the north bank of the nullah known as Chah-i-Marak nullah. From boundary pillar No. CLXXVI, the boundary line turns due south and runs to a distance of half a mile to the south of the bed of the large nullah in which Soru and Jilijil are situated. The Soru water is thus left on the British side and the Jilijil water on the Afghan side of the boundary line. The line then runs along the sandhills at a distance of  $\frac{1}{2}$  a mile to the south of the bed of the above nullah to a point near Khaisan Lok where the main road from Jilijil to Darband leave this nullah. Here the boundary line joins and thence runs along the straight line drawn between boundary pillar No. CLXXII and boundary pillar No. CLXXVII erected at a point 12 miles due north of Amir Chah. This line passes through the north slopes of a prominent sandhill known as Khaisan Lok and passes about  $2\frac{1}{2}$  miles south of the top of the Kamarghar hill, about three miles south of the top of Gidan Koh about  $2\frac{1}{2}$  miles south of the top of Harrag hill, about eight miles north of Darband and about seven miles north of the top of the Gharibo hill. Owing to the heavy sand along its course it has not been possible to demarcate the boundary line beyond Soru by boundary pillars.

*Clause No. V.*—We have jointly agreed that from boundary pillar No. CLXXVII, erected at the point 12 miles due north of Amir Chah, the boundary line runs in a straight line north west, as shown in the attached map, for about 97 miles to the top of the Koh-i-Malik Siah. As this boundary line runs through sand and desert it has been considered unneces-



sary to demarcate it for some distance by boundary pillars. It passes about 22 miles north of the Koh-i-Dalil, about  $20\frac{1}{2}$  miles north of Drana Koh, about 10 miles north of the Garuk-i-Gori hill, about  $16\frac{1}{2}$  miles north of the Kirtaka spring. It passes about  $1\frac{1}{2}$  miles south of the most southern point of the God-i-Zirreh, about 8 miles south of the ruins of five old buildings, which are situated in a row a short distance to the south of the Shelag nullah and commonly known as Gumbaz-i-Shah, about 13 miles south of the Ziarat-i-Shah-i-Mardan and ruins known as Godar-i-Shah on the north bank of the Shelag nullah. Between the point where this boundary line leaves the sandhills and the top of the Koh-i-Malik Siah the following boundary pillars have been erected on this straight line, as shown in the attached map: *i.e.*, boundary pillars Nos. CLXXXVIII, CLXXXIX, CLXXX, CLXXXI, and CLXXXII, on the plain; No. CLXXXIII on a conspicuous ridge of the low hills south of the Robat nullah; No. CLXXXIV on the south bank of the Robat nullah; No. CLXXXV on the north bank of the Robat nullah. From there the line crosses the eastern slopes of the Koh-i-Robat and runs up to boundary pillar No. CLXXXVI, which has been erected on the top of the Koh-i-Malik Siah. This line crosses the Robat nullah just above the lower Robat springs and leaves the upper Robat spring some  $2\frac{1}{2}$  miles on the south of it.

*Clause No. VI.*—Five maps are attached to this agreement and illustrate the position of the boundary line and the boundary pillars defined in each of the above five clauses. This joint agreement and the maps attached to it supersede the joint agreement and map signed by us previous to this.

(Sd.) A. H. McMAHON, *Captain,*  
*British Commissioner, Indo-Afghan*  
*Boundary Commission, Baluchistan Section.*

13th May 1896.

(Sd.) MUHAMMAD UMAR KHAN,  
*Representative, on the Indo-Afghan*  
*Boundary Commission, of His High-*  
*ness the Amir of Afghanistan; signed*  
*as correct, dated 29th Ziqada, 1313 Hijra.*

No. CLXVII.

The EARL OF KIMBERLEY to M. DE STAAL.

Foreign Office, March 11, 1895.

YOUR EXCELLENCY,

As a result of the negotiations which have taken place between our two Governments in regard to the spheres of influence of Great Britain



and Russia in the country to the east of Lake Victoria (Zor Koul), the following points have been agreed upon between us :—

1. The spheres of influence of Great Britain and Russia to the east of Lake Victoria (Zor Koul) shall be divided by a line which, starting from a point on that lake near to its eastern extremity, shall follow the crests of the mountain range running somewhat to the south of the latitude of the lake as far as the Bendersky and Orta-Bel passes.

From thence the line shall run along the same range while it remains to the south of the latitude of the said lake. On reaching that latitude it shall descend a spur of the range towards Kizil Rabat on the Aksu river, if that locality is found not to be north of the latitude of Lake Victoria, and from thence it shall be prolonged in an easterly direction so as to meet the Chinese frontier.

If it should be found that Kizil Rabat is situated to the north of the latitude of Lake Victoria, the line of demarcation shall be drawn to the nearest convenient point on the Aksu river, south of that latitude, and from thence prolonged as aforesaid.

2. The line shall be marked out, and its precise configuration shall be settled by a Joint Commission of a purely technical character, with a military escort not exceeding that which is strictly necessary for its proper protection.

The Commission shall be composed of British and Russian Delegates, with the necessary technical assistance.

Her Britannic Majesty's Government will arrange with the Amir of Afghanistan as to the manner in which His Highness shall be represented on the Commission.

3. The Commission shall also be charged to report any facts which can be ascertained on the spot bearing on the situation of the Chinese frontier, with a view to enable the two Governments to come to an agreement with the Chinese Government as to the limits of Chinese territory in the vicinity of the line, in such manner as may be found most convenient.

4. Her Britannic Majesty's Government and the Government of His Majesty the Emperor of Russia engage to abstain from exercising any political influence or control—the former to the north, the latter to the south—of the above line of demarcation.

5. Her Britannic Majesty's Government engage that the territory lying within the British sphere of influence between the Hindu Kush and the line running from the east end of Lake Victoria to the Chinese frontier shall form part of the territory of the Amir of Afghanistan; that it shall not be annexed to Great Britain; and that no military posts or forts shall be established in it.

The execution of this agreement is contingent upon the evacuation by the Amir of Afghanistan of all the territories now occupied by His



Highness on the right bank of the Panja, and on the evacuation by the Amir of Bokhara of the portion of Darwaz which lies to the south of the Oxus, in regard to which Her Britannic Majesty's Government and the Government of His Majesty the Emperor of Russia have agreed to use their influence respectively with the two Amirs.

I shall be obliged if, in acknowledging the receipt of this note, Your Excellency will record officially the agreement which we have thus concluded in the name of our respective Governments.

### No. CLXVIII.

No. 1.

M. DE STAAL to the EARL of KIMBERLEY.—(Received March 11.)

Londres, le 27 Février (11 Mars), 1895.

M. le Comte,

J'AI eu l'honneur de recevoir la note que votre Excellence a bien voulu m'adresser en date de ce jour.

Cette communication énumère les dispositions de l'arrangement auquel ont abouti les négociations engagées entre le Gouvernement de l'Empereur, mon auguste Maître, et le Gouvernement de Sa Majesté Britannique, au sujet de la délimitation des sphères d'influence de la Russie et de la Grande-Bretagne dans le région des Pamirs à l'est du Lac Zor-Koul (Victoria).

Étant dûment autorisé à constater l'acceptation par mon Gouvernement du dit arrangement je me fais un devoir d'en reproduire les termes ci-après, savoir:—

1. Les sphères d'influence de la Russie et de la Grande-Bretagne à l'est du Lac Zor-Koul (Victoria) seront séparées par une ligne-frontière, laquelle, partant d'un point sur ce lac près de son extrémité orientale, suivra les crêtes de la chaîne de montagnes qui s'étend un peu au sud du parallèle de ce lac jusqu'aux passes de Bender et d'Orta Bel. De là, la ligne-frontière suivra la dite chaîne de montagnes tant que celle-ci se trouve au sud du parallèle du lac mentionné. En touchant cette latitude la ligne-frontière descendra le contrefort de la chaîne vers Kizil Rabat, situé sur le fleuve Aksu, si toutefois cette localité ne se trouve pas au nord du parallèle du lac Victoria; de cet endroit la ligne-frontière se prolongera dans une direction orientale de manière à aboutir à la frontière Chinoise. S'il est constaté que Kizil Rabat est situé au nord du parallèle du lac Victoria, la ligne démarcation sera tracée jusqu'au point le plus proche et le plus approprié situé sur le fleuve Aksu au sud de la latitude indiquée et de là sera prolongée ainsi qu'il a été dit plus haut.



2. La ligne-frontière sera démarquée et sa configuration précise fixée par une Commission Mixte revêtue d'un caractère purement technique et protégée par une escorte militaire que ne dépassera pas le nombre strictement nécessaire pour sa sécurité. La Commission sera composée de Délégués Russes et Anglais, avec les assistants nécessaires pour la partie technique.

Le Gouvernement de Sa Majesté Britannique s'accordera avec l'Émir d'Afghanistan sur le mode dont les intérêts de Son Altesse seraient représentés dans la Commission.

3. La Commission sera également chargée de rapporter toutes les données qui pourraient être recueillies sur place concernant la direction de la frontière Chinoise, dans le but de faciliter aux deux Gouvernements les moyens d'arriver à un accord avec le Gouvernement Chinois dans les termes qui seront jugés les plus convenables quant aux limites que comprendrait le territoire Chinoise aboutissant à la ligne-frontière Anglo-Russe.

This para. has been amended, but there is no material alteration in the sense.

4. Le Gouvernement de Sa Majesté l'Empereur de Russie et le Gouvernement de Sa Majesté Britannique s'engagent à s'abstenir de l'exercice de tout contrôle ou influence politique, le premier au sud, le second au nord, de la dite ligne de démarcation.

5. Le Gouvernement de Sa Majesté Britannique s'engage à ce que le territoire compris dans la sphère d'influence Anglaise entre le Hindou-Kouch et la ligne partant de l'extrémité orientale du lac Victoria et rejoignant la frontière Chinoise, fasse partie des États de l'Émir d'Afghanistan, que ce territoire ne soit pas annexé à la Grande-Bretagne, et qu'il n'y sera établi ni postes militaires ni ouvrages fortifiés.

L'exécution du présent arrangement est subordonné à l'évacuation par l'Émir d'Afghanistan de tous les territoires occupés par Son Altesse sur la rive droite du Piandj, et à l'évacuation par l'Émir de Bokhara de la partie du Derwaz située au midi de l'Oxus, les Gouvernements de Sa Majesté l'Empereur de Russie et de Sa Majesté Britannique étant d'accord pour employer à cet effet leur influence respective auprès des deux Émirs.

J'ai, etc.,  
(Signé) STAAL.

## No. CLXIX.

Dated the 1st February 1905.

From—COLONEL A. H. McMAHON, C.S.I., C.I.E., British Commissioner,  
Seistan Arbitration Commission,

To—The Persian and Afghan Commissioners.

*After compliments.*—The boundary line between the territories of your Governments in Seistan has now been demarcated with boundary pillars

and I herewith send you the following maps and documents relating to that boundary line for the information of your respective Governments :—

- (1) The final arbitral statement regarding demarcation of the boundaries of Seistan. This is written on parchment.
- (2) A list containing the necessary details of latitude, longitude, construction, site, etc., of all the boundary pillars from Koh-i-Malik Siah to Siah Koh. This list is in three sheets and is a ferro-type reproduction.
- (3) A map on the scale of 1 inch=4 miles, illustrating the whole boundary from Koh-i-Malik Siah to Siah Koh, Bandan. It is in two sheets and is drawn on tracing cloth.
- (4) A map on the scale of 1 inch=1 mile in one sheet, illustrating only that portion of the boundary which lies between the point of separation of the Nad Ali channel and the Rud-i-Parian from the Helmund and Tappa-i-Tilai.

The above maps and documents all bear my signature and thoroughly explain the boundary line as now demarcated and will, I hope, prevent any doubts arising regarding it in the future.

I take this opportunity of conveying to you my thanks for the assistance given in the work of demarcation, and to express my sincere hope that the work now completed will prevent further disputes and strengthen the friendship between both parties. *Usual ending.*

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Final Arbitral Statement on the Seistan Boundary by COLONEL  
A. H. MCMAHON, C.S.I., C.I.E., British Commissioner, Seistan  
Arbitration Commission, dated 1st February 1905.

1. The boundary line between Persia and Afghanistan in Seistan was defined in my arbitral award of November 1903 as follows :—

"The boundary line in Seistan between Afghanistan on the east and Persia on the west should run as follows, *i.e.*, from the Malik Siah Koh in a straight line to the Bandi-i-Kuhak and thence along the bed of the Helmund river to the point of separation\* of its two branches, the Rud-i-Parian and Nad Ali channel. From there it should follow the bed of the Nad Ali channel into the Sikhsar and along the bed of Sikhsar to a point near Deh Yar Muhammad where the Sikhsar has been diverted towards the west in the water channel shown on the map which joins the Shela-i-Shamshiri near to Deh Hassan Kharot. The boundary line should follow the left bank of this water channel to the Shela-i-Shamshiri leaving Deh Hassan Kharot on the east. It should then run in a straight line separating the hamlets of Deh Ali Mardan on the west from Deh Ali Jangi on the east

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\* The word "junction" was used in my original award, and is now replaced by the more correct term "point of separation."



to Tappa-i-Tilai; thence in a straight line to the most western of the mounds of Tappa-i-Shaharaki; thence in a straight line to the most western mound of Tappa-i-Kurki; thence in a straight line to Shalghami, and thence in a straight line to Siah Koh, Bandan."

2. The above award having been accepted by both Governments, I have now demarcated the boundary line by boundary pillars in strict accordance with that word. The following remarks will clearly explain the boundary line and the manner in which that line has been demarcated by pillars.

3. The starting point of the boundary line is marked by a boundary pillar on the summit of Malik Siah Koh which was constructed by the Afghan-Baluchistan Boundary Commission in 1896, and is known as Boundary Pillar No. 186 of that Commission.

The latitude and longitude of this and all other Seistan boundary pillars, the position of each with regard to prominent places visible from them, and all necessary particulars of their size and construction are fully stated in the list of boundary pillars attached to this statement.

The position of each boundary pillar is also clearly shown in the two maps attached to this.

5. From the top of Malik Siah Koh to the Band-i-Kuhak (also called Band-i-Seistan) the straight line of boundary has been marked by 51 pillars. As these are all in exactly one straight line a further description of each is unnecessary; and it suffices to say that No. 12 is on the south bank of the Shela, No. 36 on the north bank of the Sana rud, and No. 51 on the left bank of the Helmund river where the Rud-i-Seistan leaves that river at the Band-i-Kuhak. Between pillars Nos. 8 and 9 and between Nos. 12 and 13 are 3 and 8 miles respectively of heavy sand through which it was not possible to demarcate the line with pillars.

Besides these 51 pillars there are 16 smaller marks also exactly on the straight line. The positions and particulars of these are stated in the attached list of pillars. They bear the following numbers in that list:—13A, 14A, 15A, 16A, 17A, 18A, 18B, 18C, 21A, 23A, 23B, 25A, 25B, 26A, 32A, 43A, but in order to prevent confusion with boundary pillars they have been shown in the map attached to this only as small black dots without numbers.

6. From the Band-i-Kuhak demarcation with pillars was unnecessary along the course of the Helmund river as far as the point of separation of the Rud-i-Pariun and Nad Ali branches of that river. To mark this point pillar No. 52 has been built at a distance of 94 feet from the left, *i.e.*, Persian bank of the Nad Ali channel, and pillar No. 53, has been built at a distance of 65 feet from the right or Afghan bank of the same channel. The boundary line thence follows the Nad Ali channel. The old ruin of Burj-i-As marks the right bank of that channel near Nad Ali, and pillar No. 54 marks the right bank at the point where the Shela-i-Charakh leaves that channel. From pillar No. 54 the Nad Ali channel is known as the



Sikhsar. Pillar No. 55 marks the left bank of the Sikhsar at the point where the Deh Dost Muhammad canal takes off from it, while pillar No. 56 also marks the left bank at the point where the Sikhsar again turns northwards. Pillar No. 57 has been built on a prominent mound called Tappa-i-Sikhsar which is situated at a distance of 240 feet from the right or Afghan bank of the Sikhsar.

Further north, pillar No. 58 which has been built at a distance of 109 feet from the right bank, and pillar No. 59, which is situated 20 feet from the left bank of the Sikhsar stream, mark the point where the boundary line leaves the Sikhsar as defined in my award. Pillar No. 58 is built alongside the site of Deh Yar Muhammad. That village mentioned in my award has lately been deserted and no longer exists.

7. Further demarcation of the course of the Helmund river and the Nad Ali and the Sikhsar streams is at present impossible owing to the nature of the banks, which are liable to be inundated. Moreover further demarcation appears unnecessary at the present time as the course of the water in those streams clearly marks the boundary. Hereafter should any of those streams dry up by reason of a change in the course of the Helmund, and cease to be water channels, their course can easily be ascertained and demarcated, if necessary, with the aid of the pillars and places above described.

8. From pillar No. 59 the course of the boundary line is demarcated by pillars Nos. 60 and 61 built on the left bank of the water channel which joins the Shela-i-Shamshiri near Deh Hassan Karot. Pillar No. 62 has been built to mark this point on the south bank of the Shela-i-Shamshiri close to Deh Hassan Kharot. From here the straight line to Tappa-i-Tilai has been marked by pillars Nos. 63, 64, and 65, the last named being built on the top of Tappa-i-Tilai. It is necessary to note here that the villages of Deh Ali Mardan and Deh Ali Jangi mentioned in my award as being on either side of this line have been deserted since my award was delivered and neither of them now exists.

9. To illustrate the boundary line from the point of separation of the Rud-i-Pariun and Nad Ali channels to Tappa-i-Tilai in greater detail than is possible in a map of 4 miles to one inch, a map of 1 mile to 1 inch of that portion of the boundary line is attached to this statement.

10. Pillar No. 66 has been built on the top of the most western of the Sharaki Tappas and the straight line onwards to Tappa-i-Kurki is marked by pillars Nos. 67 and 68, the latter being situated on the top of the most western of the Kurki Tappas. On the straight line between pillar No. 68 and Shalghami, which is marked by pillar No. 70, pillar No. 69 has been built. The land on which pillars Nos. 67 and 69 have been built is generally under water, but as it happened to be dry at the time of demarcation massive masonry pillars have been built at those points which it is hoped will last a long time.

11. From pillar No. 70 at Shalghami, the straight line of boundary to Siah Koh has been marked by 19 pillars, Nos. 71 to 90. Of these pillars



some are built in Naizar lands subject to inundation, and every care has been taken to build them strong and massive enough to last a long time. The line from pillar No. 70 to pillar No. 76 passes 600 feet south of the most southern edge of a prominent Tappa called Tappa-i Kharan, 3,223 feet south of the centre of top of southern face of Tappa-i-Shaghalak, and 1,485 feet south of the highest point of Tappa-i-Musjidak. Between pillars Nos. 76 and 77 the line crosses the open water of the Hamun and demarcation was impossible. Pillar No. 77 is on the west shore of the Hamun, and the line thence ascends the barren and waterless glacis and slopes of the Siah Koh. Pillar No. 90 is on the summit of Siah Koh, which is also known locally as the Nar-i-Ahu.

12. Two maps accompany this statement. One, in two sheets, is on a scale of 1 inch=4 miles and illustrates the whole boundary from Malik Siah Koh to Siah Koh. The other is on a scale of 1 inch=1 mile, and illustrates the boundary between the point of separation of the Rud-i-Pariun and Nad Ali channels of the Helmund and Tappa-i-Tilai only.

It should be noticed that the number of names of villages has been restricted as much as possible in these maps. This is due to the fact that most of the villages in Seistan frequently change not only their names but also their positions. Endeavour has been made to show only such villages as are likely to be permanent.

These maps should be considered as superseding those issued with my award of November 1903.

13. Attached to this statement is a list, already referred to, of all the boundary pillars, giving all necessary particulars of their position, size, construction, etc.

14. All measurements such as inches, feet, yards and miles in this statement and the accompanying list of boundary pillars, are English inches, feet, yards, and miles.

A. H. MCMAHON, *Colonel,*  
*British Commissioner, Seistan Arbitration Commission.*

"Here follow the maps and complete detailed list of the boundary pillars."

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## NO. CLXX.

ARBITRAL AWARD ON THE SEISTAN WATER QUESTION, DATED  
THE 10TH APRIL 1905.

### *Preliminary Remarks.*

*Paragraph I.*—General Sir Frederick Goldsmid, as Arbitrator between Persia and Afghanistan, was called upon to settle the question of rights to

land and water of Persia and Afghanistan in Seistan. He delivered an arbitral award on both points in 1872, which was confirmed by Her Majesty's Secretary of State for Foreign Affairs, and accepted by the Persian and Afghan Governments in 1873.

2. At the time of the above award, the Helmand river had one main distributary channel in Seistan, *i. e.*, the Rud-i-Seistan, at the mouth of which, in order to divert sufficient water into this Rud, was a tamarisk band known as the Band-i-Kobak or Band-i-Seistan. The Helmand river from thence onwards flowed in one channel past Nad Ali and along what is now known as the Sikhsar into the Naizar and Hamun. In 1896 a large flood caused the river to burst out for itself a new main channel, which left the old one near Shahgul and is now known as the Rud-i-Pariun.

3. Various disputes regarding water between Persian and Afghan Seistan, which were caused by changes in the course of canals and in the course of the main river, have arisen since 1872. My enquiries show that these have, until recently, always been mutually and amicably settled by the responsible officials concerned on both sides, *i. e.*, the Governors of Seistan and Chakhansur. These officials, who thoroughly understood each other's water requirements, have always shown great tact and skill in settling water disputes to the mutual satisfaction of both countries.

4. Unfortunately of recent years, whatever may have been the cause, and whether this was due to the changes in the course of the main stream, or to more strained relations, the amicable settlement of water difficulties has been found to be no longer possible. A series of small and in themselves unimportant, water questions arose between 1900 and 1902, which, by reason of estranged relations, caused mutual misunderstanding and increased ill-feeling, until matters were brought to a crisis by further disputes arising from abnormal deficiency of water in the Helmand in 1902. This led to the present reference to the arbitration of the British Government.

5. The condition under which the present arbitration has been agreed to by the Governments of Persia and Afghanistan is that the award should be in accordance with the terms of Sir Frederick Goldsmid's award.

6. In framing my award I am, therefore, restricted by the above condition.

7. Sir Frederick Goldsmid's award on the water question was as follows—"It is to be clearly understood that no works are to be carried out on either side calculated to interfere with the requisite supply of irrigation on both banks of the Helmand." Her Majesty's Secretary of State for Foreign Affairs, in his capacity as the final confirming authority of that award, further laid down in 1873, after consulting General Goldsmid, that the above clause should not be understood to apply either to existing canals or to old or disused canals that it may be desired to put in proper repair, nor would it interfere with the excavation of new canals, provided that the requisite supply on both banks is not diminished.



8. The above award is so definite that it is unnecessary to make any attempt to define it further, except on one particular point. This award provides that Persia has a right to a requisite supply of water for irrigation. In order to prevent future misunderstandings, it only remains to define what amount of water fairly represents a requisite supply for Persian requirements.

9. From the careful and exhaustive measurements, observations, and enquiries made by this Mission in Seistan, the following facts have been clearly established:—

(a) Seistan suffers more from excess than deficiency of water. Far more loss is caused by damage done to land and crops year after year by floods, than is caused by want of water for irrigation.

(b) In only very few exceptional abnormal years of low river has any question of sufficiency of water arisen in Seistan, and then Afghan Seistan has suffered equally with Persian Seistan. Moreover, questions as to the sufficiency of water only prove serious when the spring crop cultivation is concerned, when the river is at its lowest, *i. e.*, between the autumn and spring equinoxes, yet it has been ascertained that in only 3 out of the past 35 years has there been any serious deficiency of water in Seistan during that season. It is necessary, therefore, first to consider water requirements during the season of spring crops. Any settlement based on the requirements of that season will meet the case of the remainder of the year also.

(c) After carefully calculating the normal volume of the Helmand river during the period between the autumn equinox and the spring equinox it has been clearly ascertained that one-third of the water which now reaches Seistan at Bandar-i-Kamal Khan would amply suffice for the proper irrigation of all existing cultivation in Persian Seistan, and also allow of a large future extension of that cultivation. This would leave a requisite supply for all Afghan requirements.

10. I therefore give the following award:—

### AWARD.

*Clause I.*—No irrigation works are to be carried out on either side calculated to interfere with the requisite supply of water for irrigation on both banks of the river but both sides have the right, within their own territories, to maintain existing canals, to open out old or disused canals, and to make new canals, from the Helmand river, provided that the supply of water requisite for irrigation on both sides is not diminished.

*Clause II.*—The amount of water requisite for irrigation of Persian lands irrigable from and below the Band-i-Kohak is one-third of the whole volume of the Helmand river which enters Seistan.

Seistan, to which Sir Frederick Goldsmid's award applies, comprises all lands on both banks of the Helmand from Bandar-i-Kamal Khan downwards.



*Clause III.*—Persia is, therefore, entitled to one-third of the whole Helmand River calculated at the point where water is first taken off from it to irrigate lands on either bank situated at or below Bandar-i-Kamal Khan.

*Clause IV.*—Any irrigation works constructed by Afghanistan to divert water into Seistan lands, as above defined, must allow of at least one-third of the volume of the whole river being available for Persian use at Band-i-Kohak.

*Clause V.*—To enable both sides to satisfy themselves that this award is being complied with, and at the same time to avoid the necessity of fresh references to the British Government and the expense of special Missions, a British officer of irrigation experience shall be permanently attached to the British Consulate in Seistan. He will be empowered to give an opinion, when required by either party, on any case of doubt or dispute over water questions that may arise. He will, when necessary, take steps to bring the real facts of any case to the notice of the Government concerned. He will be able also to call the attention of either party to any important indications of threatening danger to their water-supply arising from natural causes or their own irrigation works. To enable this officer properly to fulfil the functions of his office, free access shall be given to him by either side to the Helmand river and its branches and the heads of canals leading therefrom.

*Clause VI.*—The maintenance of the Band-i-Kohak is of great importance to the welfare of Persian Seistan. It is possible that the deepening of the river bed at and below the site of the present band may necessitate moving the band a short distance further up the river. Afghanistan should allow Persia to move this band, if necessary, and grant Persia the right to excavate the short canal required for such new band through Afghan territory to the Rud-i-Seistan.

Similarly, should it become necessary for Afghanistan to move the present Shahgul Band across the Rud-i-Pariun somewhat lower down that stream, Persia should (as has been done before) allow Afghanistan right of way for a canal through Persian territory from that band to the Nad Ali Channel.

*Clause VII.*—It will be noted that the rights to the Helmand river which her geographical position naturally gives to Afghanistan as owner of the Upper Helmand, have been restricted to the extent stated above in favour of Persia in accordance with Sir Frederick Goldsmid's award. It follows, therefore, that Persia has no right to alienate to any other Power the water rights thus acquired without the consent of Afghanistan.

*Clause VIII.*—I cannot close this award without a word of warning to both countries concerned. The past history of the Helmand river in Seistan shows that it has always been subject to sudden and important changes in its course, which have from time to time diverted the whole



river into a new channel and rendered useless all the then existing canal systems. Such changes are liable to occur in the future, and great care should, therefore, be exercised in the opening out of new canals, or the enlargement of old canals leading from the Helmand. Unless this is done with proper precaution, it may cause the river to divert itself entirely at such points and cause great loss to both countries. This danger applies equally to Afghanistan and Persia.

CAMP KOHAK,  
The 10th April 1905. }

A. H. MCMAHON, *Colonel,*  
*British Commissioner, Seistan*  
*Arbitration Commission.*

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No. CLXXI.

TREATY with AMIR HABIBULLA KHAN continuing the AGREEMENTS which had existed between the BRITISH GOVERNMENT and AMIR ABDUR RAHMAN KHAN,—1895.

HE is GOD. EXTOLLED be HIS PERFECTION !

" His Majesty Siraj-ul-millat-wa-ud-din Amir Habibulla Khan, Independent King of the State of Afghanistan and its dependencies, on the one part, and the Honourable Mr. Louis William Dane, C.S.I., Foreign Secretary of the Mighty Government of India and Representative of the Exalted British Government on the other part,

" His said Majesty does hereby agree to this that, in the principles and in the matters of subsidiary importance of the treaty regarding internal and external affairs and of the engagements which His Highness, my late father, that is, Zia-ul-millat-wa-ud-din, who has found mercy, may God enlighten his tomb! concluded and acted upon with the Exalted British Government, I also have acted, am acting and will act upon the same agreement and compact, and I will not contravene them in any dealing or in any promise.

" The said Honourable Mr. Louis William Dane does hereby agree to this that as to the very agreement and engagement which the Exalted British Government concluded and acted upon with the noble father of His Majesty Siraj-ul-millat-wa-ud-din, that is, His Highness Zia-ul-millat-wa-ud-din, who has found mercy, regarding the internal and external affairs and matters of principle or of subsidiary importance, I confirm them and write that they (the British Government) will not act contrary to those agreements and engagements in any way or at any time,

"Made on Tuesday the 14th day of Muharram-ul-Haram of the year 1323 Hijri, corresponding to the 21st day of March of the year 1905 A. D.  
(Persian seal of Amir Habibulla Khan)

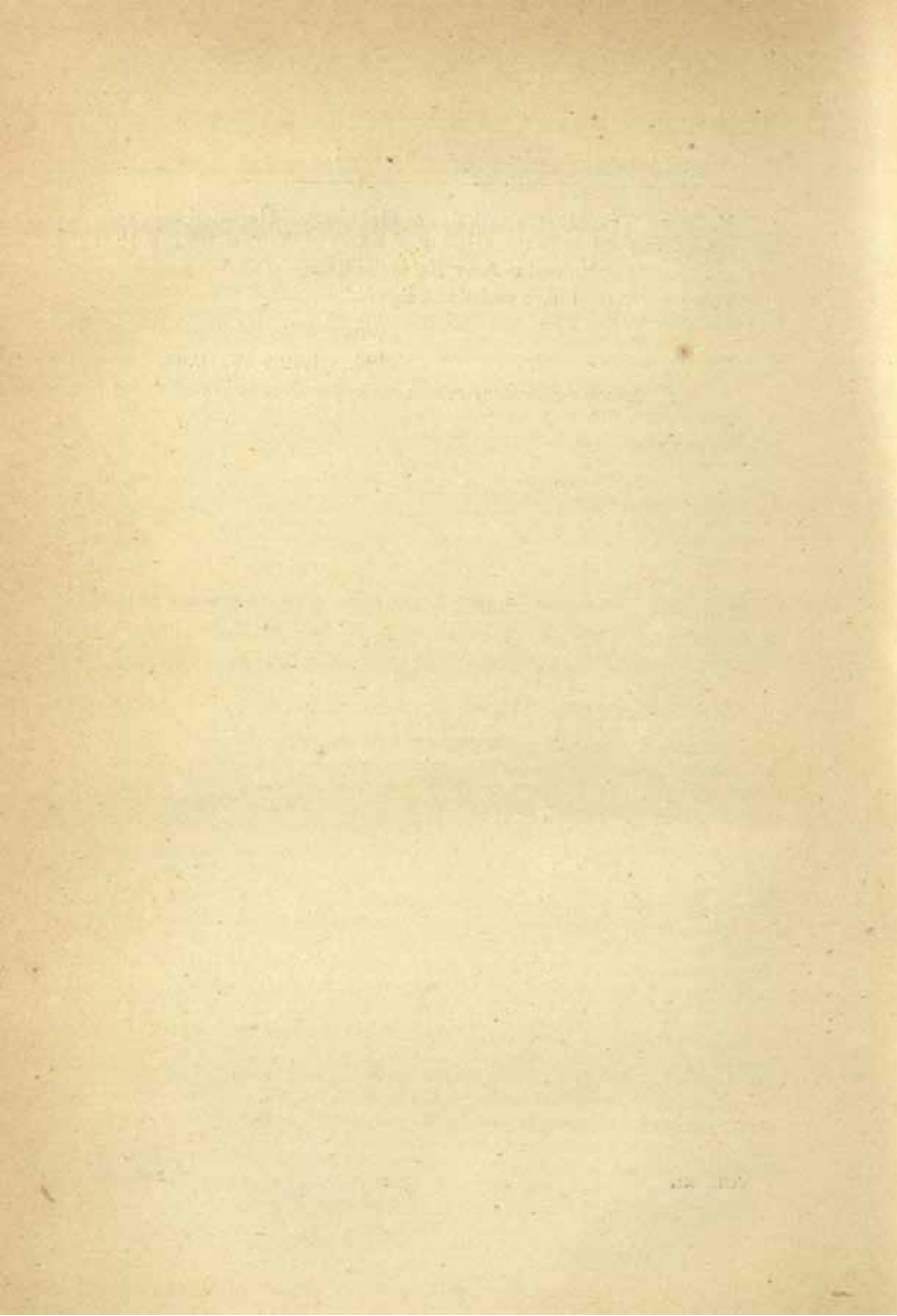
"This is correct. I have sealed and signed."

(Sd.) AMIR HABIBULLA.

(Sd.) LOUIS W. DANE,

*Foreign Secretary representing the Government of India.*





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## APPENDICES.

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## APPENDICES

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## BALUCHISTAN.

### APPENDIX No. I.—Page 190.

TRANSLATION of a MEMORANDUM drawn up by HIS HIGHNESS the KHAN of KHELAT regarding the SETTLEMENT of his QUARREL with his SIRDARS, and PRESENTED by him to MAJOR R. SANDEMAN, DEPUTY COMMISSIONER, on special duty, in DURBAR, on the 6th June 1876.

Arrangements should be made by the British Government to compensate

There is a correspondence with me regarding this. Government has agreed to pay at least a portion of this money under the agreement of 1872.—R. SANDEMAN, *Deputy Commissioner*.

the Candahar merchants whose kafilas were plundered in the Mulla, Takari, and Kazak Passes by the Jalawans, who also realized transit dues from some of these kafilas. The merchants are with me and are clamorous for a settlement.

2. In accordance with

\* This order cannot be found, but Sir William Merewether's report No. , para. , shows that some such order was issued.—R. SANDEMAN, *Deputy Commissioner*.

the written order of Sir William Merewether annexed \* to this, I took possession of the province of Lus Beyla, and incurred great expense in doing so. This country should be made over to me or annexed to British India, or I should receive from the British the expenses incurred in the war against the Jam.

If none of these proposals are adopted, then the next best thing to do is to release Jam Mir Khan, now in confinement in British territory, but this should be conditional on his ceasing to wage war on me and causing injury to my country. He should be required to render the same allegiance to my Government as he did to the Governments of former Khans of Khelat, and I on my part will engage not to encroach on his rights and privileges.

3. The Brahohee Sirdars should be required to expel from the country my ex-Wuzeer Atta Mahomed, who treacherously escaped from Khelat notwithstanding my servant Nawab Mahomed Khan was security for him. The ex-Wuzeer is doing all he can to keep up disturbances throughout the length and breadth of the land. After a permanent peace has been arranged on the condition that the ex-Wuzeer leaves the Khelat State, I will allow his family (who are in Khelat) to go with him.

4. By the settlement come to in 1872 by Sir William Merewether it was decreed that the Sarawan Brahohees should pay compensation for the kafila they plundered in the Bolan Pass. This compensation they could not pay. I had to give Rs. 35,000 to the merchants. I had also to pay Rs. 55,000 to the merchants that were plundered by the Murrees. I had



thus a total sum of Rs. 90,000 to pay merchants on account of kafilas plundered by the Brahooees. It was decreed that they should pay, but as they had not the means I had to do so. I received, after the settlement, a lakh of rupees from the Government for my own use, but by this means I only received Rs. 10,000. This was not what the British Government intended; I therefore desire that the money should be refunded to me.

5. The annual subsidy of Rs. 50,000 which I used to receive has now for three years ceased, but I do not feel I have committed any fault to have caused this. Formerly the Khelat Government used to levy transit fees at one rupee per maund. The British Government reduced this to 8 annas per maund, and the Rs. 50,000 was given as compensation.

6. My Commandant Shukur Khan and my Munshis Mulla Saleh Muhammad and Gul Muhammad were taken from me and put in prison by the British Government without their having committed any fault. I shall feel obliged by the British Government releasing them and allowing them to depart in peace.

7. I desire to appoint Nawab Muhammad Khan, who is a well-wisher of my Government, to attend on Major Sandeman as my agent.

8. I desire that the share of the transit fees to which the Brahooees are entitled by ancient usage shall be continued to them as decreed by Sir William Merewether.

9. Whatever terms of peace the British Government desire to give the Brahooees on the part of my Government that I will agree to. I will not violate terms. Let the past be forgotten. I will restore to the Sarawan and Jalawan Sirdars their ancestral lands; and should they at any future time violate the conditions of peace, before punishing them I will report what has occurred to the British Government through the Political Agent at Khelat, and after receiving sanction (from British) I will then punish the offenders. On the other hand, should my Naibs and officers cause them injury contrary to custom and ancient usage, and should I not on being referred to do justice, then I am willing that my case should be appealed through the Political Officer at Khelat to the British Government for orders.

10. The Brahooees should, according to precedent and old rule, serve me and obey my orders, and I on my part will confer favours on them, as my ancestors did.

11. Should the British Government approve of these desires of mine as recorded herein, then my Government will hold itself responsible for the safety of the Bolan, Mulla, Raj, Kedj, Mekran, and all other Khorassan Passes, and I will do my best to keep these Passes open, as desired by the British Government.



## BALUCHISTAN.

APPENDIX No. II.—*Page 190.*

The FOLLOWING RULES for the GUIDANCE of the SIRDARS and NAIBS in CONDUCTING the CIVIL ADMINISTRATION of the KHELAT STATE received the ASSENT of HIS HIGHNESS the KHAN of KHELAT on the 1ST AUGUST 1876,

Whereas the late civil war created great difficulty in the administration of the Khelat State, which of late years, contrary to ancient usage, has been entirely in the hands of the Naibs, supported by a small body of regular troops; and whereas peace has been again restored to the country, I, Mir Khodadad Khan, Khan of Khelat, direct that the former civil administration of the country be restored, and I publish the following rules, which this day have received my assent, for the guidance of my Sirdars and Naibs:

The civil administration of the country is divided into four parts—

1. Collection of revenue, whether in cash or in kind.
2. Settlement of claims for money, etc.
3. The disposal of criminal cases.
4. The protection of the civil power by the military.

Regarding the first I direct my Naibs not to interfere in any way with revenue free grants. These are to remain, as formerly, entirely in the hands of the Brahooees. But should a Brahooee purchase from a ryot land on which revenue, either in cash or in kind, has been fixed, the Naib will collect from him the usual assessment. Should any Brahooee refuse to pay the assessment to the Naib, the latter will at once refer to the Sirdar of the tribe to which the Brahooee belongs, who will realise the amount due. Should the Sirdar consider the Brahooees had just grounds for refusing to pay the assessment, he will refer them to the Naib, and should the latter concur, the claim will be dismissed. Should the Naib not agree with the Sirdar the latter can refer the dispute to His Highness the Khan, whose decision in the matter will be final, and the Sirdar will be responsible for putting it in force. After putting the Khan's order in force, should the Sirdar consider the Khan's order unjust, he can refer the matter through the Political Agent at Khelat to the British Government. The procedure recorded here applies to all disputes regarding the collection of revenue, whether in cash or in kind.

2. Money transactions, debts, etc.—As a rule, when the plaintiff and defendant belong to one and the same tribe, the Sirdar of the tribe will in accordance with ancient custom hear and dispose of the case. In the event



of the Sirdar's decision giving dissatisfaction to either plaintiff or defendant, party dissatisfied can appeal to His Highness the Khan, whose decision shall be final. The Sirdar, on being informed of the Khan's decision, must put it in force. In the event of a Hindu or Dewar complaining against a Brahoinee, the claim in the first instance must go before the Sirdar of the tribe. Should a settlement in which both sides concur be come to, well and good; if not, the claim will be brought by the complainant before the Naib, who will dispose of it according to State law. Appeal from the Naib's order will lie to His Highness the Khan, whose decision is final and must be carried out by the Sirdar. In the event of the plaintiff being a Brahoinee and the defendant a Dewar or Hindu, the claim in the first instance must be brought before the Naib, who will dispose of the case according to State law. From the Naib's order an appeal will lie to His Highness the Khan, whose decision shall be final. The order of the Naib need not be put in force by the Sirdar until the Khan's decision is known, then it must be put in force at once.

3. Regarding the disposal of all criminal cases.—Should plaintiff and defendant be Brahoinees or Belooch and belong to the same tribe, the Sirdar will according to ancient custom dispose of the case. An appeal from his order will lie to His Highness the Khan, whose decision shall be final and must be put in force by the Sirdar. In the event of the Sirdar not having the power for any course whatever, to enforce His Highness' order, in that case he will apply to His Highness for help to enforce the order of the Khelat Government. Should the Sirdar consider the act of His Highness an oppressive one, he can complain to the British Government through the Political Agent. In the event of the complainant being a Dewar or Hindu and the defendant a Brahoinee, the case must go before the Naib, and the Sirdar, on the Naib's application, must seize the defendant and make him over to the Naib. The Sirdar can attend at the inquiry, and take part in it, and if the Naib and the Sirdar agree in the finding and sentence they will together dispose of the case. Should they differ in opinion the case will be referred to His Highness the Khan for final orders, which will be binding on the Naib and Sirdar. Should a Brahoinee escape to any tribe after committing an offence the Sirdar of that tribe is responsible to apprehend him, and to dispose of his offence in accordance with the procedure just recorded.

4. Protection and aid to be rendered to the civil power by the military.—His Highness the Khan has the power to place troops in any part of the Khanate, whether inhabited by the Brahoinees or not, for the protection of the civil power. In the event of any tribe or portion of a tribe disobeying a lawful order of the Khan, the Sirdars will be called upon in accordance with ancient law and precedent to cause the offending tribe or portion of a tribe to submit. In the event of its being necessary to resort to arms to enforce submission, the Sirdars will aid the Khan with their followers in accordance with old custom, but before war on the tribe or portion of a tribe is declared, the Khan will obtain first the sanction of the British Government before waging it. In the event of the Naibs using the troops stationed with them contrary to the procedure laid down for their guidance, and that

of the Sirdars in the rules herein recorded, the complainant must refer the matter direct to His Highness the Khan, who will inquire and do justice. Should the Sirdars consider that the Khan's decision is unjust, they will not raise the standard of revolt, but will first refer the matter to the British Government for decision.



## BALUCHISTAN.

APPENDIX No. III.—*Page 195.*

(TRANSLATION.)

## MEMORANDUM of the PROCEEDINGS of a JIRGA regarding the PERIODICAL SETTLEMENT of cases arising between the SUBJECTS of PERSIAN BALUCHISTAN and KALATI MAKRAH.

A combined Jirga of Persian and Baluchistan Sardars was held at Magas on the 16th February 1902 to consider the means that should be taken in future to provide for the settlement of cases arising between Persian and Makran subjects. The following were present:—  
On behalf of the Governor-General—

- (1) Mirza Fateh Ullah Khan, Saiyid-ul-Saltanah, and Naib-ul-Hukumah of Kerman and Persian Baluchistan;
- (2) Hasham Khan, Satwat-ul-Mumalik, Amir-i-Panj, Deputy Governor of Bampur;
- (3) Mir Abdulla Khan, Hakim of Dizak and Jalak;
- (4) Mir Ghulam Rasul Khan, Hakim of Sib and Soran.

On behalf of the Political Agent, Kalat—

- (1) Kazi Fakir Ahmed Khan, Native Assistant to the Political Agent, Kalat;
- (2) Sardar Ghaus Bakhsh Khan, Raisani, Sardar of Sarawan;
- (3) Sardar Mir Mehrullah Khan, Nazim of Mekran;
- (4) Sardar Mehrab Khan, Gichki;
- (5) Khan Bahadur Muhammad Hasan Khan, Gichki.

After a careful consideration of the question the Jirga express the opinion that hitherto border criminals and others, inclined to take the law into their own hands in the settlement of local disputes, have been under the impression that offences committed in foreign territory are not likely to be taken notice of by their own Sardars and officials and that on return to their own side of the border they are secured from pursuit and other after-consequences. This belief has been the cause of much lawlessness and disorder on the border, and it is time that all badmashes should be strictly brought to account for their crimes and all border disputes taken up and enquired into as promptly as possible to prevent their leading to serious disturbance.

The Jirga accordingly make the following recommendations.—

1. That the Nazim of Makran and the Deputy Governor of Bampur should correspond with regard to all matters, petitions, and complaints arising between the subjects of the two Governments residing on the frontier and arrange for the redress of their grievances. If the cases can be settled by correspondence, well and good.

2. But it is possible that there will always be many matters whether with regard to border offences and disputes or otherwise outstanding between the Nazim and Deputy Governor which could not be decided by correspondence. It is, therefore, expedient that the two above mentioned officers should meet each other and have the cases decided in their presence. The Jirga, therefore, most strongly recommend that the two officers should meet near the border once a year without fail. The best places for the meeting are Pishin and Kohak and the meeting can be held alternately at each place. Next year, 1903 = 1320 H., it will be at Pishin on the 1st Burj-i-Jadi, corresponding to 1st January 1903, and in 1904 = 1321 H., at Kohak on the 1st Burj-i-asad, corresponding to 1st August, and so on in each alternate year until such time as the Kerman and Baluchistan \* authorities should consider the meetings no longer necessary.

3. On arrival at the place of meeting a combined Jirga of Persian and Makran Sardars will assemble to dispose of all cases which the Deputy Governor and the Nazim may respectively wish settled in their presence. Each official will of course have present with him all complainants and defendants concerned in the cases which are to be decided and they should make every endeavour to carry into effect the awards given by the Jirga before their return to their head-quarters. To prevent cases falling through owing to the absence of the parties the Deputy Governor and Nazim should supply each other in good time before the meeting with a complete list showing all cases they wish discussed.

The Jirga in disposing of cases should endeavour to render the settlements as final and as acceptable to both parties as possible, and they should, therefore, follow as far as they can the custom of the country and the rules of "Shariat."

4. The Deputy Governor and the Nazim will be responsible for the carrying out of the awards given by the Jirga against the people of their respective districts.

5. The scope of these meetings and accompanying Jirgas will include the settlement of all cases of a purely local character such as cattle theft, affrays, the offences of individual badmashes, women cases, the raiding of small kafilas by small parties of local tribesmen, etc. More important offences such as the looting of large kafilas by large gangs, organised raids from one country into the other will have to be referred to higher authority on either side. In any case of doubt as to whether a matter should be dealt with or not, reference should be made by the Deputy Governor to the Governor-General of Kerman and by the Nazim to the Political Agent,

\* (i.e., British Baluchistan.)



Kalat. Should any particular person refuse to obey a summons to attend the annual Jirga for the settlement of his case, the Deputy Governor and Nazim are authorised to jointly pursue him and make every endeavour to bring about his capture.

*Dated the 16th February 1902=6th Ziqad 1319 H.*

KAZI FAKIR AHMAD, <i>Native Assistant to the Political Agent, Kalat.</i>	FATEHULLA, TABATABAI, <i>Saidul Saltanah and Naib-ul- Hukmah of Kerman and Baluchistan.</i>
(Sealed) SARDAR GHAS BAKHSH KHAN, <i>Raisani, Sardar of Sarawan.</i>	(Sealed) HASHAM KHAN, SATWAT-UL-MUMALIK, <i>Deputy Governor of Bampur.</i>
(Sealed) MIR MEHRULLA KHAN, <i>Nazim of Mekran.</i>	(Sealed) MIR ABDULLAH KHAN, <i>Hakim of Dizak and Falk,</i>
(Sealed) MIR MEHRAB KHAN, <i>Gichki.</i>	<i>Approuvé.</i>
(Sealed) K. B. MIR MUHAM- MAD HASSAN KHAN, <i>Gichki.</i>	MAHMUD KHAN, <i>Ferman Ferma de Kirman et Bloujdstan.</i>
<i>Approved.</i>	
H. L. SHOWERS, <i>Lieut.-Col., Political Agent, Kalat.</i>	

## BALUCHISTAN.

APPENDIX No. IV.—*Page 196.*

(TRANSLATION.)

MEMORANDUM of an ARRANGEMENT come to in conversation between the GOVERNOR-GENERAL of KERMAN and PERSIAN BALUCHISTAN and the POLITICAL AGENT, KALAT, on the subject of the importation of BREECH-LOADING RIFLES and AMMUNITION into BRITISH and PERSIAN BALUCHISTAN.

The Political Agent informed the Governor-General that an extensive traffic in arms is being carried on at Maskat and other Persian Gulf ports, that the arms landed are breech-loaders of the Martini-Henri, Lee Metford and Mauser patterns—all arms of the most advanced and effective types—and that these arms are coming rapidly into the possession of the tribesmen all along both sides of the Perso-Baluch border. In a very few years, if the traffic continues, the tribesmen will be as well armed as either the Persian or British troops and the control of the country, difficult enough already, will become well nigh impossible or will at least demand the employment of a largely increased number of troops. There is a grave political danger underlying this re-armament of the people with modern weapons in place of their old and useless matchlocks. Should these wild and lawless tribes once think that they are in a position to cope with their masters on equal terms, there may be no limit to their excesses or to the distance from the border to which their depredations may extend.

The Political Agent further informed the Governor-General that in Kalat-i-Makran the strictest watch is now being kept over this traffic and all arms imported into the country without permission are at once confiscated by the Khan's officials.

The Governor-General agreed with the views above expressed and said he was prepared to do all in his power to put a stop to the traffic on his side of the border. To this end he will adopt the following measures :—

- (1) a notification will be issued and published throughout Persian Baluchistan (including the seaboard) that in future all breech-loading rifles of whatever pattern and ammunition for the same brought into the country, except under the written sanction of the Governor-General of Kerman, will be at once confiscated and the importer or person in whose possession the rifle or rifles and ammunition may be discovered severely punished ;
- (2) the Deputy Governor of Bampur and the leading Sardars of the district will be held responsible that the terms of the notifica-



- tion at (1) above are strictly carried out, the Deputy Governor being responsible for the whole district and each Sardar or headman for his particular sub-district or village ;
- (3) the Deputy Governor to at once ascertain and report to the Governor-General the number of breech-loading rifles now in the Bampur district (excluding, of course, Government arms carried by soldiers and officials) and the names of the persons who own them ;
  - (4) the Deputy Governor to submit an annual report to the Governor-General, showing any changes that may have occurred in the list referred to at (3) during the past year ;
  - (5) the Governor-General will arrange to have a strict watch kept on all the custom and other ports, big or small, along the Kerman and Baluchistan portion of the coast with a view to all arms illicitly imported whether by traders or by private individuals being immediately confiscated ;
  - (6) all arms and ammunition confiscated will be forwarded to Kerman, and the Governor-General should be informed of the punishment inflicted in each case of unauthorised importation ; and
  - (7) with reference to the list at (3), if the Governor-General considers that any particular Sardar has in his possession more breech-loading rifles than are reasonably necessary for the purposes of supporting his dignity or securing him against attack from his enemies, he will cause such Sardar to deliver up to him all such rifles as are considered to be in excess of his requirements. Equally any breech-loading rifle found to be in the possession of a person, who by his character or position in life is thought by the Governor-General unfitted to be trusted with a breech-loading rifle, such rifle will be taken out of his possession.

*Dated the 8th March 1902=26th Zikad 1319 H.*

MAHMUD KHAN,  
*Ferian Ferma de Kirman  
et Bloujdstan.*

H. L. SHOWERS, *Lieut.-Col.,  
Political Agent, Kalat.*

## JAMMU AND KASHMIR.

APPENDIX No. V.—*Page 253.*

## RULES for the GUIDANCE of the JOINT COMMISSIONERS appointed for the NEW ROUTE to EASTERN TURKESTAN.

1. As it is impossible, owing to the character of the climate, to retain the Commissioners throughout the year, the period during which they shall exercise their authority shall be taken to commence on 15th May, and to end on 1st December.

2. During the absence of either Commissioner, cases may be heard and decided by the other Commissioner, subject to appeal to the Joint Commissioners.

3. In the months when the Joint Commissioners are absent, *i.e.*, between 1st December and 15th May, all cases which may arise shall be decided by the Wuzer of Ladak, subject to appeal to the Joint Commissioners.

4. The Joint Commissioners shall not interfere in cases other than those which affect the development, freedom, and safety of the trade, and the objects for which the Treaty is concluded, and in which one of the parties or both are either British subjects or subjects of a foreign State.

5. In civil disputes the Commissioner shall have power to dispose of all cases, whatever be the value of the property in litigation.

6. When the Commissioners agree, their decision shall be final in all cases. When they are unable to agree, the parties shall have the right of nominating a single arbitrator, and shall bind themselves in writing to abide by his award. Should the parties not be able to agree upon a single arbitrator, each party shall name one, and the two Commissioners shall name a third, and the decision of the majority of the arbitrators shall be final.

7. In criminal cases the powers of the Commissioner shall be limited to offences such as in British territory would be tried by a Subordinate Magistrate of the First Class, and, as far as possible, the procedure of the Criminal Procedure Code shall be followed. Cases of a more heinous kind should be made over to the Maharaja for trial if the accused be not an European British subject; in the latter case he should be forwarded to the nearest British Court of competent jurisdiction for trial.

8. All fines levied in criminal cases and all stamp receipts levied according to the rates in force for civil suits in the Maharaja's dominions shall be credited to the Cashmere Treasury. Persons sentenced to imprisonment shall, if British subjects, be sent to the nearest British jail. If not British subjects, offenders shall be made over for imprisonment in the Maharaja's jails.



9. The practice of cow-killing is strictly prohibited throughout the jurisdiction of the Maharaja.

10. If any places come within the line of road from which the towns of Leh, etc., are supplied with fuel, or wood for building purpose, the Joint Commissioners shall so arrange with the Wuzeer of Ladak that those supplies are not interfered with.

11. Whatever transactions take place within the limits of the road shall be considered to refer to goods in bond. If a trader opens his load and disposes of a portion, he shall not be subject to any duty, so long as the goods are not taken for consumption into the Maharaja's territory across the line of road. And goods left for any length of time in the line of road subject to the jurisdiction of the Commissioners shall be free.

12. Where a village lies within the jurisdiction of the Joint Commissioners, then, as regards the collection of revenue, or in any case where there is necessity for the interference of the usual Revenue authorities, on matters having no connection with the trade, the Joint Commissioners have no power whatever to interfere; but to prevent misunderstanding, it is advisable that the Revenue officials should first communicate with the Joint Commissioners before proceeding to take action against any person within their jurisdiction. The Joint Commissioners can then exercise their discretion to deliver up the person sought or to make a summary enquiry to ascertain whether their interference is necessary or not.

13. The Maharaja agrees to give Rupees 5,000 this year for the construction of the road and bridges, and in future years His Highness agrees to give Rupees 2,000 per annum for the maintenance of the road and bridges. Similarly, for the repairs of serais, a sum of Rupees 100 per annum for each serai will be given.

Should further expenditure be necessary, the Joint Commissioners will submit a special report to the Maharaja and ask for a special grant. This money will be expended by the Joint Commissioners, who will employ free labour at market rates for this purpose. The officers in Ladak and in British territory shall be instructed to use their best endeavours to supply labourers on the indent of the Commissioners at market rates. No tolls shall be levied on the bridges on this line of road.

14. As a temporary arrangement, and until the line of road has been demarcated, or till the end of this year, the Joint Commissioners shall exercise the powers described in these rules over the several roads taken by the traders through Ladak from Lahoul and Spiti.

(Sd.) MAHARAJA RUNBEER SINGH.  
" T. D. FORSYTH.

## JAMMU AND KASHMIR.

## APPENDIX No. VI—Page 253.

REVISED RULES in respect to the REFUND of DUTY on Goods exported from BRITISH TERRITORY to CASHMERE or CENTRAL ASIA *via* CASHMERE.

1. The places agreed upon between the Punjab Government and the Maharaja of Cashmere as the places where goods may be declared and sealed for transmission in bond under these rules are Calcutta, Bombay, Amritsar, and Karachi.\* Goods intended for Central Asia may be declared and sealed at these four places, and also at Sultanpoor in the Kullu Tehsil of the Kangra District.

2. Any merchant trading on his own account, and any merchant or agent trading on account of the Maharaja of Cashmere, is entitled to claim refund of duty under these rules in the manner hereinafter described.

3. The goods intended for export to Cashmere or Central Asia shall be declared on invoices, and opportunity shall be given to the Collector or Deputy Commissioner, or the official at Sultanpoor, appointed on that behalf, to inspect them as required. The packages shall be sealed in presence of the Collector or Deputy Commissioner, or an officer authorized by him, or in the case of packages declared at Sultanpoor in the presence of the official appointed on that behalf.

4. Goods sealed at any of the places mentioned in Rule I must not break bulk until the seals shall have been examined and certificates attested by one of the officials described in Rule IX; otherwise all claim to refund of duty will be forfeited.

5. Goods intended for Cashmere or Central Asia, but contained in packages which it is necessary or desired to open on the route up-country from seaports, may more conveniently be declared, sealed, etc., at Amritsar or Sultanpoor.

6. The duty of which a refund is claimable under these rules is the customs duty specified in the Schedules of the Indian Tariff Act in force for the time being. The amount of such duty shall be calculated at the values assigned to goods in those Schedules.

7. In the case of goods sealed and declared at Calcutta, Bombay or Karachi, the officers empowered to grant certificates, and in the case of goods sealed and declared at Amritsar, the Deputy Commissioner, and in the case

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\* Appointed by subsequent agreement in 1881.



of goods sealed and declared at Sultanpore, the official appointed on that behalf at Sultanpore, will furnish the applicant with a certificate in the annexed form (A) specifying the numbers on the packages sealed by him or under his orders, the kind of goods, the gross weight, the destination, and the amount of duty to be refunded in the event of the goods reaching Srinuggur, Jummoo or Leh, as the case may be, intact. The officers appointed to grant certificates should be furnished with the customs import tariff or fixed values, and with regard to *ad valorem* goods should be cautioned to investigate the claim as to drawback so as not to give drawback on the actual value of goods as laid down, say at Amritsar or Sultanpore, which would include the cost of carriage from the seaport at those places. Drawback should not be given on more than the customs tariff value at the port of importation.

The officers empowered to grant certificates will keep a register of such certificates in serial order (B).

8. When the certificate described in the preceding section shall have been granted, and the goods duly sealed, they may be conveyed by any route the applicant chooses.

9. The holder of certificate granted under Rule 7 will only be entitled to claim a refund on such certificate after it has been attested either—

(1) By the customs official\* of His Highness the Maharaja on arrival of the goods at Jummoo or Srinuggur of His Highness' dominions, or

(2) By the British Joint Commissioner at Leh on arrival of the goods at Leh.

When any of the above-named officials are called upon to attest the certificate, they will examine the packages to see that the seals are untampered with, and that the number and weight of packages correspond with the certificate accorded.

10. The owner or his agent may then present this certificate either to the British Joint Commissioner at Leh, or in the case of goods sealed and declared at Calcutta, Bombay, or Karachi to the Collector at Calcutta, Bombay, or Karachi respectively, or in the case of goods sealed and declared at Amritsar to the Deputy Commissioner at Amritsar, and obtain payment of the amount of duty stated therein. No refunds will be paid at Sultanpore.

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\* NOTE.—The name and designation of the said officials are at present as follows :—

At Jummoo, Bodh Raj, Farmer of Customs.

At Srinuggur, Bodh Raj, Farmer of Customs.

Any change in their name or designation will be notified in the *Gazette*.





## JAMMU AND KASHMIR.

APPENDIX No. VII.—Page 253.

## FOREIGN DEPARTMENT.

## NOTIFICATION.

*Dated Simla, the 8th May, 1891.*

No. 933-E.—Whereas the Governor-General in Council has in certain cases jurisdiction within the territories of His Highness the Maharaja of Jammu and Kashmir: In exercise of this jurisdiction and of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879, and of all other powers enabling him in this behalf, the Governor-General in Council is pleased to issue the following orders with respect to such cases:—

## PART I.

## CRIMINAL JUSTICE.

For the purposes of the exercise within the said territories of criminal jurisdiction in such cases as aforesaid—

(1) Every Assistant to the Resident in Kashmir for the time being may exercise the powers of a District Magistrate and of a Court of Session as described in the Code of Criminal Procedure, 1882.

(2) The Resident in Kashmir for the time being shall exercise the powers of a Court of Session and High Court, as described in the said Code, in respect of all offences over which magisterial jurisdiction is exercised by any of his Assistants: provided that no such Assistant shall commit any accused person for trial to the Resident acting as a Court of Session.

(3) The Resident in Kashmir for the time being shall exercise the powers of a High Court, as described in the said Code, in respect of all offences over which the jurisdiction of a Court of Session is exercised by any such Assistant except that in cases in which the said Code requires the sentence of a Court of Session to be confirmed by the High Court, the sentence shall be referred for confirmation to the Governor-General in Council instead of to the Resident.

(4) In the exercise of the jurisdiction of a Court of Session conferred on him by these orders, an Assistant may take cognizance of any offence as a Court of original criminal jurisdiction without the accused person being

committed to him by a Magistrate, and shall, when so taking cognizance of any offence, follow the procedure laid down by the Code of Criminal Procedure, 1882, for the trial of warrant cases by Magistrates.

(5) A trial before an Assistant in the exercise of the jurisdiction of a Court of Session conferred on him by these orders may be without jury or aid of assessors.

(6) This part of these orders applies to all proceedings except—

- (a) Proceedings against European British subjects or British subjects jointly charged with European British subjects; and
- (b) Proceedings pending at the date of this notification, which should be carried on as if this notification had not been issued.

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## PART II.

### CIVIL JUSTICE.

For the purposes of the exercise within the said territories of civil jurisdiction in such cases as aforesaid—

(1) Every Assistant to the Resident in Kashmir for the time being may exercise the powers of a District Court, as described in the Code of Civil Procedure, with jurisdiction in all original suits, whatever be the amount or value of the subject-matter, and in all other proceedings in which jurisdiction is conferred on the District Court by the law for the time being in force.

(2) Every Assistant to the Resident in Kashmir for the time being may exercise the powers of a Court of Small Causes, with jurisdiction in all suits cognizable under the Provincial Small Cause Courts Act, 1887, when the amount or value of the subject-matter does not exceed one thousand rupees.

(3) Appeals shall lie, subject to the law for the time being in force, to the Resident in Kashmir from the decrees and orders of an Assistant, and the Resident shall exercise the powers of a High Court.

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## PART III.

### LAWS.

(1) The provisions, so far as they can be made applicable in the circumstances for the time being, and as amended for the time being by subsequent enactments of the Acts specified in the Schedule to this notification, are, for the purposes of such cases as aforesaid, hereby applied to the said territories.



(2) Such portions of Foreign Department Notification No. 605-P., dated 28th March 1873, as are inconsistent with these orders are hereby cancelled.

*Schedule.*

Acts of the Governor-General in Council.

*I.—Criminal.*

Act XVIII of 1850 (Protection of Judicial Officers).

Act XLV of 1860 (Penal Code).

Act VI of 1864 (Whipping).

Act I of 1872 (Evidence).

Act X of 1882 (Criminal Procedure).

*II.—Civil.*

Act X of 1865 (Succession).

Act XIV of 1866 (Post Office).

Act VII of 1870 (Court-fees).

Act IX of 1872 (Contract).

Act XV of 1877 (Limitation).

Act V of 1881 (Probate and Administration).

Act XIV of 1882 (Civil Procedure).

Act XIII of 1885 (Telegraphs).

Act IX of 1887 (Provincial Small Cause Courts).

Act VI of 1888 (Debtors).

Act VII of 1889 (Succession Certificates).

(Sd.) H. M. DURAND,

*Secretary to the Government of India.*

## AFGHANISTAN.

APPENDIX No. VIII—*Page 329.*DESCRIPTION of the AFGHAN FRONTIER between the HARI  
RUD and the OXUS.

Leaving pillar No. 19 the frontier runs east by south in a straight line for some  $7\frac{1}{2}$  miles (as measured on the map) to pillar No. 20 which stands on the summit of the high hill, distant about 4 miles to the north by west of the Kara Tepe mound. From pillar No. 20 the line runs in a south-easterly direction to a long round-topped hill at the head of a ravine running down to the Kushk River, and thence along the crest of a ridge in a southerly direction to a point overlooking the valley of the Kushk known as the Ziarat-i-Khwaja Alam Dar, marked by a heap of stones and a grave. Pillar No. 21 stands on the top of this heap of stones. From there the line runs straight down the side of the hill, and straight across the valley to pillar No. 22, on the left or western bank of the Kushk River, at a distance of 300 yards below its junction with the Moghor stream.

Pillar No. 22 stands near the edge of the bank above flood-level, and about 2,600 yards north of the Kara Tepe mound.

From pillar No. 22 the boundary runs up the course of the River Kushk for some  $9\frac{1}{2}$  miles (as measured on the map in a direct line) to pillar No. 23 built on the edge of the right or eastern bank of the river, and nearly in the centre of the valley, at a distance of 900 yards from the head of the canal taking off from the river on the right bank at the northern side of Chahil Dukhtaran point below and on the opposite side of the river to the Ziarat-i-Chahil Dukhtaran.

Pillar No. 23 is distant some 275 paces from the mound where the road up the right bank of the river after crossing the Chahil Dukhtaran point debouches again on to the plain. The boundary runs north-eastwards in a straight line from pillar No. 23 for some  $14\frac{1}{2}$  miles to pillar No. 24, described hereafter. The intermediate pillars are pillar No. 23A standing 360 paces to the north-east of pillar No. 23, on the top of the bluff forming the eastern edge of the valley, and about 175 paces from the mound on the road-side above mentioned.

Pillar No. 23B, situated on the sky line at a distance of about  $1\frac{1}{2}$  miles from No. 23A, on a low flat-topped mound visible from both up and down the Kushk Valley, but not visible directly from No. 23A.

Pillar No. 23C, standing on a ridge of the northern slope of the hill known as the Band-i-Chah-i-Khishti. The pillar is situated on an isolated knoll in the ridge, and some 300 yards to the north of a higher and sharper shoulder of the same ridge. Pillar No. 23B is situated  $6\frac{1}{2}$  miles to the south-west, and pillar No. 24 rather more than  $5\frac{1}{2}$  miles to the north-east.



Pillar No. 24 stands on the western end of a long, steep, white hill, as seen from the south on a point known as the Ziarat-i-Baba Taghi. This pillar is built on the mound of stones marking the site of this Ziarat, and to the west of some graves. From this point the boundary turns east by south, and follows the line of the watershed of the Bundi-i-Chingarak Range.

Pillar No. 24A is built just to the north of the footpath running along the summit, where the boundary takes a turn to the south round the head of a steep-sided ravine or hollow running northwards, known as Kham-i-Sabz. Pillar No. 24B stands on the watershed at the south-east angle of the same hollow.

Pillar No. 25 stands on the top of the Kotal above the Chashma-i-Chingarak on the eastern side of the road, and distant about  $6\frac{1}{4}$  miles in a direct line from pillar No. 24.

Pillar No. 26 stands on a high hill with a steep bluff on its northern side covered with pistachio trees, some  $1\frac{3}{4}$  miles from pillar No. 25. The pillar is built on a heap of stones close to some graves known as the Ziarat-i-Chingarak. Thence the line bends slightly southwards again still along the same watershed round the head of a deep hollow with a spring in its south-eastern corner known as the Chashma-i-Gaz, and on to another high point, and thence on to pillar No. 27 on the point beyond that again, a high bluff without name and distant in a direct line from pillar No. 26 rather more than  $4\frac{1}{4}$  miles.

Pillar No. 28 stands on the eastern of two high points about  $7\frac{1}{2}$  miles to the north-east of No. 27, and pillar No. 29 about  $10\frac{3}{4}$  miles further on beyond that again in the same direction.

The boundary follows the watershed all the way.

Pillar No. 29 immediately overlooks the Kashan valley, and stands on a shoulder of the hill on the western side of the valley, just below the southern of the two peaks on its summit, and opposite a western bend of the river. Here the boundary leaves the watershed, and runs in a straight line across the Kashan valley in a north-easterly direction for rather more than 3 miles to pillar No. 30 which stands on a heap of stones on a rocky point at the summit of the hills on the eastern side of the valley, and immediately to the west of, and overlooking the mouth of, a precipitous gorge known as the Palang Khwawali.

Between pillars Nos. 29 and 30 two intermediate pillars were erected to mark the line of crossing in the Kashan valley. The first, No. 29A, stands on the left or western bank of the Kashan stream on a bit of high bank between the Kashan and its affluent, the Kalimal, and just above its junction with the latter, at a distance of about  $\frac{1}{4}$  of a mile from the domed reservoir at Tora-Shaikh, and about the same distance from pillar No. 29. Pillar No. 29B stands on the crest of the rocky ridge on the right or eastern side of the valley rather more than a mile from pillar No. 30. From pillar No. 30 the boundary follows the line of the watershed of the Torah-Shaikh Ridge running eastwards for rather more than 5 miles to pillar No. 31,



erected on the top of a hill at the point where the line of the watershed between the Kashan and the Murghab rivers joins that of the Tora-Shaikh Ridge. From this point the boundary turns northwards and follows the line of the watershed between the Kashan and the Murghab Rivers for nearly 15 miles to pillar No. 32. Between Nos. 31 and 32 three intermediate pillars were erected. The first, No. 31A, on the northern side of the road which leaves the Kashan valley at Kak-i-Dowlat Beg and runs to Mangan. The pillar stands on the top of the Kotal where the road crosses the watershed, and at a distance of nearly 5 miles from pillar No. 31.

The second, No. 31B, stands on a round-topped high hill, about half a mile to the north of, and visible from, No. 31A. The third, No. 31C, stands on the northern side of the road between Yaki Gachan in the Kashan valley and Tannur Sangi on the Murghab, at the top of the Kotal forming the watershed between the two valleys, and about  $3\frac{1}{4}$  miles from pillar No. 32. Pillar No. 32 stands on the top of a conical hill, the highest hill on the watershed between the Kashan and the Murghab, and just at the point where the watershed divides near the head of the Kul-i-Madir-i-Naib which runs northwards from there down to the Murghab.

From pillar No. 32 the boundary turns in an east-north-east direction and runs in a straight line for a little over 3 miles to pillar No. 33, built on the top of a long high ridge and then on in a straight line for nearly 4 miles, again to pillar No. 34 on the top of the southernmost point of a high flat ridge between Shor Tannur Sangi, and the next Shor on the west and about  $1\frac{1}{4}$  miles from Tannur Sangi itself. From thence the line crosses the Tannur Sangi Shor in a straight line, and runs on for a little more than  $\frac{3}{4}$  of a mile to pillar No. 34A built on the top of a high, rounded knoll on the east side of Tannur Sangi Shor, and between it and the Murghab, and thence on in the same straight line for a little under half a mile to pillar No. 35 built on the left bank of the Murghab, and close to the water's edge 700 feet above the Tannur Sangi ford.

From pillar No. 35 the frontier follows the course of the River Murghab till it joins pillar No. 36 at the northern end of the Maruchak valley.

C. E. YATE, *Lieut.-Col.*

W. PEACOCKE, *Major, R.E.*

CAPITAINE KOMAROW.

P. ILYIN.

#### DESCRIPTION of the AFGHAN FRONTIER between the HARI RUD and the OXUS.

From pillar No. 65 the boundary runs in a straight line for  $2\frac{1}{4}$  miles in an east by south direction to pillar No. 66, which stands in the open plain close to the west side of the road from Andkui to Imam Nazar at a distance of 3,500 feet to the south of the main well at Imam Nazar. Thence the



line runs almost due east for some  $9\frac{1}{2}$  miles to pillar No. 67, placed on the top of a sandy rise 20 yards to the west side of the road leading from Ak Khan Bhai Kak to Tash Kuduk and thence on in the same straight line for another  $4\frac{1}{2}$  miles to pillar No. 68 built on the east side of the road from Shibarghan to Kara Tepe Khurd and Tash Kuduk and 150 yards to the north of the main or southernmost of the two Kara Tepe Khurd Kaks, both of which remain on the Afghan side of the frontier. From pillar No. 68 the frontier turns in a north-easterly direction and runs in a straight line for  $5\frac{1}{2}$  miles to pillar No. 69 on the top of a slight rise 30 yards to the south of the road running from Kara Tepe Kalan to Dunguz Surt and thence on in the same straight line for  $4\frac{1}{2}$  miles to pillar No. 70 built on a fairly high and solid mound among low sand hills half a mile to the east of the main road from Kara Tepe Kalan to Bosagha and exactly midway and in a straight line between the wells of east and west Katabaji, the former of which remains to Afghanistan and the latter to Bokhara. From this point the boundary runs due north in a straight line for nearly  $6\frac{1}{2}$  miles to pillar No. 71 which stands about midway between the wells of Alikadim and Chahi, to the north side of the road between them and close to the point where the road from Alikadim *via* Deb Kilah to Khamiab forks from the road to Chahi. The pillar stands on a low rise in the dry water-course that runs past Alikadim westwards towards Dunguz Surt. From here the frontier runs north by east in a straight line for  $6\frac{1}{2}$  miles to pillar No. 72 on a small patch of sound open ground amid sand hills, about half a mile outside the edge of the Khamiab cultivation and thence on in a straight line for half a mile to pillar No. 73, built at the mouth of the road that runs through the cultivation along the Buz Arik canal. The pillar stands at the south-west corner of the compound of Muhammad Wali Sufi's house. From pillar No. 73 the boundary runs for 365 yards up the centre of this road to pillar No. 74 built on the east side of the road at the point where it crosses the Buz Arik canal by a wooden bridge, at the northern end of this bridge and on the western bank of the canal, which here turns off to the west into Bosagha land. From pillar No. 74 the boundary follows the course of the Buz Arik canal for 3 miles through the cultivation to pillar No. 75. The canal throughout this distance belongs entirely to Bosagha, the trees along its left or southern bank belonging to Khamiab and those on its northern bank to Bosagha.

Pillar No. 75 is built on the northern bank of the Buz Arik or Yangi Arik canal at a distance of 15 yards to the east of the wooden bridge over that canal, situated about 200 yards to the north-east of Aral Bai's house and 250 yards north-west of Kara's house. From this point the boundary turns northwards across the canals and river flats and runs pretty well in a straight line to the bank of the river. From pillar No. 75 the line follows a low earthen bank or ridge for 182 yards to pillar No. 76 on the top of the southern bank of the Mirza Beg Ibdal canal, and thence for 155 yards further, during which it crosses the Mirza Beg Ibdal, the Nikcha, the Shaikh Arik, and the Saligh canals to pillar No. 77 built on the northern bank of the Saligh canal 50 yards to the east of the canal crossing east of

Juma Bai's house, and at a point marked by the remains of some old canal which has been here cut through obliquely by the Shaikh Arik and Saligh canals. From here the boundary follows the line of the track running from the canal crossing above mentioned in a direction slightly to the east of north across the river flats to pillar No. 78 built on the south bank of a small creek crossed by the track, at a distance of 736 yards from pillar No. 77, and thence on in the same straight line to pillar No. 79 on the left bank of the Oxus just above flood-level and close to the west side of the track above mentioned.

To mark the fact that under the terms of paragraph II of the St. Petersburg Protocol No. 4 of the <sup>10th</sup>/<sub>22nd</sub> July 1887 the canals of Bosagha all along their course, that is to say, as far as Koinli, shall be included in Russian territory, a subsidiary pillar, marked H in the map, was erected at the head of the Buz Arik canal in the Koinli District, close to the river bank and immediately to the south of the present canal-head. A small canal, called Penna Beg, takes off 50 yards to the south of the pillar.

(Sd.) CHAS. E. YATE, *Lieut.-Col.*  
" W. PEACOCKE, *Major, R.E.*  
" CAPITAINE N. KOMAROW.  
" P. ILYIN.



## AFGHANISTAN.

## APPENDIX NO. IX—Page 329.

*Hashtadan.—Synopsis of Boundary marks.*

No. of pillar.	Description.	Bearings.		Distances.		REMARKS.
1	A masonry pillar 6' x 3' at a distance of 34 paces from left bank of Kal-i-Kalla, and 300 paces below point where old canal takes off from right bank. Pillar 1 is plastered with gypsum mortar. Line runs straight to pillar 2.	Pillar 2 High point on E. of Darband Pass. Centre Darband village. Pillar 3 Centre of Kafir kala. Old canal head.	213° 144°  360° 239° 60½° 146°	Pillar No. 2	3,145 paces or 2,939 yards.	Note.—107 horse paces = 100 yards. Pillar 1 is 1,020 horse paces from ruins of Darband. High hill on E. of Darband Pass marked on Survey Map, Sheet 11, S.-W. North-West Trans-Frontier. The course of the old canal can be traced from the point where it leaves the bank of the Kal-i-Kalla for a long distance. The Karawal hill is a remarkable conical hill on the west of the Darband Pass. The mill itself is not visible owing to low hills. It is situated on the left, not the right, bank, at a distance of 120 paces from the edge. Its distance from
2	A masonry pillar on top of a rounded conical hill. A narrow neck forming watershed connects it with Karawal hill. At 35° a little ridge of red rocks crops up out of ground at a distance of 40 feet. Pillar 2 overlooks valley of the Kal-i-Kalla. Line to 3 follows watershed.	Karawal hill Pillar 3 Mill at Darband High point on E. Pillar 1 Western tower of Darband ruins.	224° 264° 127° 102° 33° 20°	Pillar " 3	Could not be measured in hills. See map.	

3	<p>A masonry stone pillar plastered with gypsum on a stony platform forming summit of a double-headed hill, the second highest in the range. The second summit is about 80 yards distant and bears 232°. Both summits about same height and from the plain present the appearance of a V. Line to 4 follows watershed.</p>	<p>Pillar 2 Darband village High point E. of Darband Pass. Western point of peak 80 paces off. High peak on W. Pillar 1</p>	<p>83° 50° 94° 232° 203° Not visible.</p>	<p>Pillar " 4</p>	<p>Ditto</p>	<p>the canal is about 2,800 yards and to pillar (1) 300 paces more. The Western Darband tower is on the edge of the right bank of the Kal-i-Kalla. Pillar 2 very indistinct from background of hill; probably 84° would be more accurate. The high peak on W. is the highest point of Sanjitti about <math>\frac{1}{3}</math> mile distant. Shuts out pillar 4 from view.</p>
4	<p>A masonry pillar about 5½' in height plastered with gypsum; partly brick and partly stone. Pillar 4 is built on a summit of a double-headed rocky eminence on the backbone of the ridge, at the point where the Koh-i-Sartip spur branches off. A deep ravine runs from it on the S. W. separating Koh-i-Sartip from the watershed and pillar 5. Another ravine runs from its base towards the N.-E. Both ravines drain to the Persian plain. The double-headed hill presents a V-shaped appearance from the Hashitadan side. Line to pillar 5 follows watershed.</p>	<p>Western point of Koh-i-Sartip. Pillar 5 Low hillock 60 paces distant. Highest peak of range about one mile distant.</p>	<p>302° 262° 193° 87°</p>	<p>Pillar No. 4</p>	<p>Ditto</p>	<p>Koh-i-Sartip spur branches off from pillar 4 beyond the watershed.</p>



*Synopsis of Boundary marks—continued.*

No. of pillar.	Description.	Bearings.	Distances.	REMARKS.
5	A brick masonry pillar about 6 feet high and about 3 feet in diameter, plastered with gypsum, situated on a level platform on a short ridge which marks a conspicuous depression in the range. The most conspicuous neighbouring feature is a mass of black rock cropping up out of the ground forming a knob visible from the plains. Line to pillar 6 runs straight.	<p>Pillar 4 . . . 82°</p> <p>Western point of Koh-i-Sartip. . . 57°</p> <p>*Black rock (150 paces off). . . 139°</p> <p>Low hillock on W. of ravine . . . 258°</p> <p>edge of which is 50 paces from pillar.</p> <p>Pillar 6 . . . Between 197° and 198°</p>	<p>Distance to 6 could not be measured being very broken ground, and the greater part of it forming slope of hill.</p>	A deep wide ravine or valley springing from pillar 4 runs between Koh-i-Sartip and pillar 5. From a distance Koh-i-Sartip looks as if it formed part of watershed. The pillars from 5 to 10 are nearly all in a line.
6	A masonry brick pillar on a low rising ground on the edge of a ravine. At too yards to the east is a knoll about 10 feet higher than the site of the pillar and overlooking a ravine running down to the Kal. Line runs straight to 7.	<p>Pillar 3 . . . 193°</p> <p>Pillar 7 and 8 . . . 17°</p> <p>Pillar 5 . . . Between 18° and 57°</p> <p>Pillar 4 . . . 9°</p> <p>*Conical hill . . . 75°</p> <p>Pillar 3 . . .</p>	<p>To pillar 7. 960 paces = 897 yards.</p>	<p>• On W. of No. 5, <math>\frac{1}{2}</math> mile distant and very conspicuous from plain. Point on which pillar 3 stands is visible, but not pillar 3 itself.</p>
7	A masonry pillar on plain, no remarkable feature in vicinity. Line runs direct to pillar 8, last portion being up slope of hill. Height about 6 feet, diameter about 3 feet, plastered with gypsum.	<p>Pillar 6 . . . 183°</p> <p>Conical hill . . . 14°</p> <p>Pillar 4 . . . 47°</p> <p>Pillar 3 . . . 65°</p> <p>Pillar 8 . . . 200°</p>	<p>Pillar 8 . 1,450 paces = 1,365 yards.</p>	

8	A masonry pillar on top of a grassy hill a little out of the line on account of it having been found necessary to choose a better site. No remarkable feature in the vicinity. Pillar 8 is about 5 feet high and 3½ in diameter, and is plastered with gypsum. Line runs direct to pillar 9.	Pillar 4 . Conical hill Pillar 3 . Pillar 7 . Pillar 9 . Pillar 10 .	30° 16° 54½° 20° 198° 198°	Pillar 9	2,316 paces = 2,164 yards.	This pillar is actually 36 paces to west of site in order to secure good position, the original site being in a depression.
9	A masonry pillar on a low mound in plain, 6 feet high by about 3½ in diameter. No remarkable feature in vicinity. Line runs direct to 10.	Pillar 10 . Pillar 8 . Pillar 4 . Koh-i-Sartip	198° 18½° 33° 20°	Pillar 10	2,045 paces = 1,911 yards.	Pillar 3 and conical hill not visible from pillar 9.
10	A masonry pillar on a low remarkable promontory overlooking the Kafir at a distance of about 300 yards from the junction of Nos. 5 and 6 branches of the Shorab. At the point of the promontory is a small low-walled enclosure used by the nomads for prayer. Hence name of Ziarat. The pillar is close to the northern end of the wall. Line to 11 runs straight.	Pillar 4 . Pillar 3 . E. tower of Pardai. Koh-i-Sartip Pillar 5 .	30° 39° 292° 23° 18°	Pillar 11	1,302 paces = 1,217 yards.	Pillar 4 itself not visible from 10, but the point on which it stands is. Pillar 3 itself not visible. Pillar 5 itself not visible, but the point on which it stands is very conspicuous.
11	A masonry pillar on a low mound in the Kafir. It is a little out of the line to avoid soft ground. Line runs direct to pillar 12. Plastered with gypsum.	Pillar 10 . East tower of Pardai. Pillar 12 . H a s h t a d a n Mound.	57° 305° 238½° 248°	Pillar 12	1,158 paces = 1,082 yards.	The pillars from 10 to 15 are almost in a straight line.



*Synopsis of Boundary marks—continued.*

No. of pillar.	Description.	Bearings.		Distances.		REMARKS.
12	A masonry pillar on a low mound in Kavar plastered with gypsum. It is placed 5 paces west of proper site to avoid soft ground. Line to 13 runs straight.	Pillar 11 . East tower of Pardai. Pillar 13 . Pillar 29 . H a s h t a d a n Mound.	58½° 319° 237½° 230° 251°	Pillar 13 .	1,109 paces = 1,030 yards.	Pillars 1 to 12 inclusive all built by Afghans, and all of one pattern, conical shape.
13	A brick masonry pillar minar-shaped with cap, about 8 feet high and 3 feet in diameter without plaster except on cap. All the Persian pillars except when specially mentioned are built on this pattern. It is placed on a low mound. Line to 14 runs straight.	Pillar 12 . East tower of Pardai. Pillar 14 . Pillar 29 . H a s h t a d a n Mound.	58° 334° 238° 230° 254°	Pillar 14 .	1,171 paces = 1,094 yards.	From pillar 13 to pillar 32 built by Persians.
14	A masonry pillar as above on a low mound. Line to 15 runs straight. It is surrounded by soft muddy Kavar.	Pillar 13 . East tower of Pardai. Pillar 15 . Pillar 29 . H a s h t a d a n Mound.	58° 348° or (348½°) 238° 229° 259°	Pillar 15 .  ...  Pillar 16 .	1,150 paces = 1,075 yards.  ...  88½ paces = 823 yards.	Also 259½° to Hashtadan.  On edge of Kavar. A line of Kanats shown in original map runs parallel to the line between 15 and 17.
15	A masonry pillar on a mound near edge of Kavar. Line to 16 runs straight.	Pillar 14 . East tower of Pardai. Pillar 29 . Pillar 17 .	58° 360° 228° 278° and 277°			

16	A masonry pillar placed a little out of straight line between 15 and 17 owing to some error on part of mason and Persian Agent.	<p>Pillar 16 . . . Karez (40 paces) Karez (75 paces) Hashtadan Mound.</p> <p>Pillar 15 . . . Pillar 17 . . . E. tower of Pardai.</p> <p>Pillar 29 . . . Pillar 32 . . . Koh-i-Safid . . . Kanat well at a distance of 170 paces. Hashtadan Mound.</p>	<p>276° 334° 247° 269°</p> <p>96° 278° or 279° 368° or 369°</p> <p>224° 191° 194° 203°</p> <p>265°</p>	<p>Pillar 17 . . .</p> <p>...</p> <p>Pillar 18 . . .</p>	<p>1,078 paces= 1,008 yards.</p> <p>...</p> <p>921 paces= 861 yards.</p>	<p>Summit of hill on which pillar 32 is built is visible, not the pillar itself, which is too distant to be seen. The Koh-i-Safid is a high white coloured hill being end of a spur which projects to the south of the watershed from which it is separated by a deep valley. From a distance it looks as if a part of watershed.</p>
17	A masonry pillar forming the eastern corner of the deflection round the Hashtadan Mound stipulated for by the Shah. It is 440 yards due E. of a point, 220 yards due N. from the centre of the Hashtadan Mound. Line to 18 runs straight.	<p>Pillar 16 . . . Pillar 18 . . . Pillar 29 . . . Koh-i-Safid . . . Pillar 32 . . .</p>	<p>98° 212° 219° 189° 187°</p>	<p>Pillar 18 . . .</p>	<p>921 paces= 861 yards.</p>	



## Synopsis of Boundary marks—continued.

No. of pillar.	Description.	Bearings.	Distances.	REMARKS.
18	A masonry pillar forming the S. angle of the deflection round the Hashtadan Mound. It is 440 yards due S. of the centre of the mound. Line to 19 runs straight.	Pillar 17 . Pillar 19 . Pillar 20 .	Pillar 19 . 831 paces = 777 yards.	
19	A masonry pillar placed 330 yards due W. of a point 220 yards due N. of the centre of the Hashtadan Mound. Pillar 20 not visible owing to an intervening rise of ground. Line runs straight to pillar 20.	Pillar 18 . Pillar 29 .	Pillar 20 . 1,745 paces = 1,631 yards.	All the pillars from 19 to 24 are in a straight line.
20	A masonry pillar as above. Pillar 19 not visible.	Pillar 21 . Pillar 29 . Pillar 18 . Pillar 19 .	Pillar 21 . 1,757 paces = 1,642 yards.	
21	A masonry pillar in open plain. Line runs direct to pillar 22.	Pillar 20 . Pillar 22 . Pillar 29 .	Pillar 22 . 1,635 paces = 1,528 yards.	

22	A masonry pillar in open plain. Line runs direct to pillar 23.	Pillar 21 . Pillar 23 . Pillar 29 .	73° 253° 180½°	Pillar 23 .	1,618 paces= 1,512 yards.	
23	A masonry pillar in the open plain. Line to 24 runs direct.	Pillar 22 . Pillar 24 . Pillar 29 .	73° 253° 165°	Pillar 24 .	1,981 paces= 1,851 yards.	
24	A masonry pillar in the open plain forming the N.-W. angle of the boundary line. The pillar is placed about 60 paces W. of the stone pillar erected by Lieutenant Galindo to mark the corner. Line runs direct to pillar 25, and crosses road between Karat and Ghorian at 220 paces.	Pillar 23 . Pillar 25 . Pillar 29 .	73° 196° 144°	Pillar 25 .	About 1,132 paces=1,058 yards.	Pillar 24 was at first built about 1,260 paces to the W. Lieutenant Galindo's pillar was destroyed by nomads in 1891. They removed all the stones except the base one, which was too heavy to carry off. My line ran right over it.
25	A masonry pillar in open plain, 70 paces from the head well of a Karat on account of which this pillar had to be rebuilt. Line to 26 straight.	Pillar 24 . Palangawa . Pillar 29 . Pillar 26 . Hashtadan Mound.	16° 219° or 220° 133° 161° 69½° or 70°	Pillar 26 .	920 paces= 868 yards.	New S.-W. corner. Pillars 25, 27, 28, and 29 are in one line.
26	A masonry pillar in the open plain at a distance of 60 paces from head of a line of Kanats. Line to 27 runs direct.	Pillar 25 . Palangawa . Pillar 29 . Pillar 27 . Pillar 28 . Hashtadan Mound.	341° 224° or 225° 126½° 107½° 123° 64°	Pillar 27 .	1,095 paces= 1,023 yards.	



## Synopsis of Boundary marks—continued.

No. of pillar.	Description.	Bearings.	Distances.	REMARKS.
27	A masonry pillar in the open plain. Line runs straight to 29.	<p>H a s h t a d a n Mound.</p> <p>Palangawa . . . . . 58½°</p> <p>Pillar 26 . . . . . 229°</p> <p>Pillar 29 . . . . . 287½°</p> <p>Pillar 28 . . . . . 133°</p> <p>133°</p>	Pillar 28 . . . . . 1,648 paces = 1,540 yards.	
28	A masonry pillar in the open plain. Line to 29 runs direct.	<p>Palangawa . . . . . 238°</p> <p>H a s h t a d a n Mound.</p> <p>Pillar 29 . . . . . 48° or 48½°</p> <p>Pillar 27 . . . . . 133°</p> <p>313°</p>	To end of plain. . . . . 840 paces = 785 yards; remainder forms slope of hill forming point of Kadaona.	Last pillar in plain = 785 yards.
29	A circular stone masonry pillar about 9 feet high on the highest and central point of the bluff called point of Kadaona. This is visible all over the valley. It is on the edge of a long steep slope, facing pillar 28, which forms a great part of the distance between the two pillars. Line to 30 follows watershed.	<p>H a s h t a d a n Mound.</p> <p>Pillar 28 . . . . . 38°</p> <p>Palangawa . . . . . 313°</p> <p>Pillar 30 . . . . . 247°</p> <p>Pillar 31 . . . . . 112°</p> <p>Pillar 32 . . . . . Not visible.</p> <p>Ditto.</p>	Distance . . . . . See map. Could not be measured by pacing.	<p>Pillars 24 and 25 not visible owing to distance.</p> <p>Pillars 31 and 32 not visible owing to background of hills from this point. Head of 30 just visible. None of the pillars between 19 and 27 visible.</p>
30	An obelisk shaped brick masonry pillar about 9 feet high on a low neck at eastern end of the Kadaona bluff, from which pillar 29 and	<p>Pillar 29 . . . . . 292°</p> <p>H a s h t a d a n Mound.</p> <p>Small hillock close by. . . . . 31½°</p> <p>51°</p>	Ditto . . . . . Ditto	On neck connecting Kadaona bluff with Kadaona range. Pillar 30 fixed on survey map by Kadaona point

31	Hashtadan Mound are just visible. Close by, on the S. side, is an old sheep pen, and on the northern side a low hillock. Line to 31 follows watershed which takes a curve round by the south.	Pillar 31 . . . Pillar 32 . . .	134° 138°	Ditto . . .	Ditto . . .	(pillar 29), pillars 31 and 32, and on the Hashtadan Map by its bearings from Hashtadan Mound.
	An obelisk shaped brick masonry pillar about 8 feet high on the S. point of a conical hill on crest of watershed which begins to rise here. To the S. is a ravine with fresh water. Line to 32 follows watershed and is nearly straight.	Pillar 30 . . . Pillar 29 . . . Pillar 32 . . . Conical hill Hashtadan Mound.	314° 312° 152° 102½° 81°	Ditto . . .	No. 31 fixed by pillar 32, conical hill, Koh-i-Safid and Kadaona point (pillar 29). * For bearing of Hashtadan from 31, 9½° was also read, but owing to wind uncertain.	
		Palangawa † Koh-i-Safid	267° 177°		† South of watershed about ½ mile off.	
32	An obelisk shaped masonry pillar about 9½ feet high standing on a conspicuous point on watershed which from plain looks like a double headed mound on southern head of which pillar stands. From its southern and northern sides run ravines, containing water. To the S., separated by a deep ravine, is the Koh-i-Safid in Persian soil, which at a distance seems joined to the hill on which the pillar is. Pillar 32 visible for a long distance to the W. Line to 33 follows curves of watershed.	Pillar 33 Conical hill Palangawa Pillar 31 . . . Pillar 29 . . . Koh-i-Safid Hashtadan Northern end of spur.	161½° 94½° 271½° 332° 315½° 218° 5° 13°	Ditto . . .	No. 32 fixed by pillar 33, conical hill and Koh-i-Safid. Last day 272°. Ditto 331°. Ditto 315°. Pillar 32 is the last Persian pillar. Length of spur 195 paces.	



## Synopsis of Boundary marks—continued.

No. of pillar.	Description.	Bearing.	Distances.		REMARKS.
			Distance	See map.	
33	A masonry pillar minar-shaped on the centre of three rounded knolls which form crest of watershed consisting of high rolling down. A ravine runs from 33 to the S. and another to the north. Line follows watershed to 34.	Pillar 32 .	341½°	...	Pillars 33 to 39 built by Afghans. Pillar 33 fixed by conical hill, Koh-i-Safid and pillar 34.
		Pillar 34 .	138½°	...	
		H a s t a d a n Mound.	360°	...	
		Conical hill	74°	...	
		K o h - i - S a f i d (white hill).	324°	...	
		Southern end of ridge on which pillar is.	251°	...	
34	A masonry pillar built on a little platform close to a black rock on the crest of the range. From the E. this rock looks like a bush. There is a sudden dip to the E. To the N. E. is the Siah Koh. Line follows watershed to 35.	Northern knoll at 75 feet distance.	57°	...	The knoll is 54 feet off and rises a little above level of pillar.
		Knoll on S.	184°	...	
		Pillar 33 .	318½°	Ditto	Pillar 34 fixed by Siah Koh, pillar 36 and pillar 35. Turkisht and conical hill invisible. Val-i-Khar too distant to be reliable. Siah Koh is a spur rising to the north of the watershed and is the highest point of Kadmuna range.
		Pillar 32 .	330°	Ditto	
		Pillar 35 .	178°	Ditto	
		Val-i-Khar	133°	Ditto	
		Siah Koh	41°	Ditto	
		Hill on which 36 stands.	103½°	Ditto	

35	A masonry pillar on a knoll on crest of watershed, not conspicuous; the hills being rolling down. Line follows curves of watershed to 36.	Pyramidal hill near Siah Koh. Pillar 34 . Pillar 36 . Tirkisht hill Val-i-Khar	102½° 358° 159½° 90° 129°	Ditto . Ditto .	Pillar 31 itself not visible. Also 130°. Val-i-Khar a little too distant.
		Sang-i-Dukhtar Kashlushi hill . Siah Koh . Pyramidal hill . Black rock .	80° 199° 20° 51° 13°		Pillar 35 fixed by pillar 36, Siah Koh and Tirkisht hill. At 100 paces distance in ravine facing pillar.
36	A masonry pillar on a high knoll without any remarkable feature in vicinity. Line follows curve of watershed to 37. There is a considerable rise to 36.	Pillar 35 . Pillar 37 . Tirkisht hill Val-i-Khar Siah Koh . Kashlushi hill .	339½° 127° 69° 120° 355½° 251°	Ditto . Ditto .	Position of pillar 36 fixed by pillar 37, Tirkisht hill, Siah Koh and Kashlushi hill.
37	A masonry pillar on the top of a high hill visible from all directions. This is the true end of the Kadena range proper. There is a great dip from 37 and 38 to which line follows low watershed.	Pillar 36 . Pillar 38 . Pillar 39 . Val-i-Khar Tirkisht hill Conical hill Kashlushi	307° 148° 142° *116° 49° †360° 280°	Ditto . Ditto .	* Should be 119. This is the small conical hill in plain. † Formerly in high wind read 362°.



*Synopsis of Boundary marks—concluded.*

No. of pillar.	Description.	Bearings.	Distances.	REMARKS.
38	A masonry pillar on a knoll on the low watershed of rolling hills separating the Turkisht and Sargardan basin. No remarkable features in the vicinity of pillar. Line runs straight to pillar 39.	Pillar 37 . Pillar 39 . Turkisht hill . Val-i-Khar .	328° 135° 30° 98°	Distance . See map. Could not be measured by pacing.
39	A masonry pillar on a flat rocky spur jutting out from the southern end of Val-i-Khar, and forming the northern head of the Chah Surkh valley. Chah Surkh itself is not visible owing to an intervening spur. On the northern side of the promontory on which 39 is situated is a ravine, the northern side of which is the prolongation of the Kadaona range, and forms the head of the Turkisht valley. It is generally known as the Katal Surkh. On the south the promontory is joined by the low watershed running up from the Simtik range, which divides the Chah Surkh and Sargardan	Pillar 38 . Pillar 37 . Turkisht hill . Val-i-Khar .	315° 322° 16° 67°	Ditto Ditto ... ... Miscellaneous bearings. Hashtadan 152° Mound to conical hill. Hashtadan 23° Mound to eastern tower of Pardai. Hashtadan 218° Mound to pillar 29. Eastern tower 223° Pardai to Hashtadan Mound, Eastern tower 112° Pardai to Ziarat.

drainage. Pillar 39 is just opposite the point of junction. This pillar protects the line of communication between Chah Surkh and Turkisht, which passes through the bay formed by the Katal Surkh and the pillar promontory.

Hashtadan 233°  
Mound to Pal-  
angawa. 233½°  
Turkisht hill to 309  
conical hill.  
Turkisht hill to 179°  
Yal-i-Khar.

MESHED, }  
*The 6th July 1891.*

C. S. MACLEAN, Major-Genl.,

*A. G.-G. of India & H. B. Majesty's  
Consul-Genl. for Khorassan & Seistan.*

LANSDOWNE,

*Viceroy and Governor-General of India.*

This settlement was ratified by the Viceroy and Governor-General of India at Calcutta on the seventeenth day of December A.D. One thousand eight hundred and ninety-one.

W. J. CUNINGHAM,  
*Dy. Secy. to the Govt. of India, Foreign Dept.*



## AFGHANISTAN.

## APPENDIX No. X—Page 330.

## PROTOCOL NO. 1.

On the 18th—30th May 1893 the Russian and British Commissioners appointed to hold an enquiry on the spot and to settle the question of the alleged infractions which may have been committed by either side of the stipulations relative to the waters of the Kushk river and contained in Protocol No. 4 signed at St. Petersburg on July 10th—22nd, 1887, by the Russian and British Delegates for the delimitation of the North-Western Frontier of Afghanistan, *vis.* :—

*On the part of Russia.*—Monsieur V. Ignatiev, Collegiate Councillor and Functionary for the Minister of Foreign Affairs, attached to the Governor of the province of Transcaspia, and

*On the part of Great Britain.*—Lieutenant-Colonel C. E. Yate, C.S.I., C.M.G., having met near the Afghan post at Kara Tepe proceeded to inspect the canals and cultivated lands on the left (Afghan) bank of the River Kushk between Kara Tepe and Chihal Dukhtar.

The representative of His Highness the Amir of Afghanistan, Muhammad Pinda Khan, Hakim of Badghis, took part in this inspection.

Lieutenant-Colonel Artamanow of the General Staff, Assistant to the Russian Commissioner, and Lieutenant the Honourable H. D. Napier, Attaché to the English Commissioner, were also present.

The results of the inspection were marked by Captain Nassibiantz of the Corps of Military Topographers attached to the Russian Commission on the map which is annexed to the present Protocol.

The distances and measurements noted in the present Protocol are calculated approximately by the same officer.

The inspection showed the following results :—

1. A canal known as the Mill canal, and marked on the annexed map by the letter A, takes off from the Kushk at a distance of 3 versts and some 350 sagues or about  $2\frac{1}{2}$  miles to the south of Boundary Pillar No. 22 and 1 verst and 230 sagues or 1,703 yards to the south of the Kara Tepe mound, and flows north along the left bank of the river and passes one ruined mill; from there it flows towards another mill now working, situated at a distance of 2 versts and some 60 sagues in a straight line from the head of the canal. The water after turning the mill flows back into the river 90 sagues or about 210 yards below the mill without being used for irrigation at the present time.



Some old branches of this canal bend towards the cultivated lands near the Kara Tepe mound. The Afghan representative maintains that these branches have never been used for irrigation by the Afghans, and the lands in question are watered by the Kara Tepe Kalan canal. The total length of the Mill canal amounts to 2 versts and 250 sagues or 1 mile and 1,167 yards.

2. The second canal proceeding up stream is the Kara Tepe Paiyin canal marked on the annexed map by the letter B, at present dry and disused. It formerly took off from the river 4 versts and 280 sagues or rather more than 3 miles to the south of Boundary Pillar No. 22, and 2 versts and 130 sagues or about 1 mile and 886 yards from the Kara Tepe mound and 440 sagues or nearly 1,027 yards from the present head of the first canal, and ran a course of nearly 3 versts or 2 miles to the west of the Kara Tepe mound. The Afghan representative explained that this canal was closed last year by the Amir's orders.

3. The third canal is the Kara Tepe Kalan canal marked on the map by letter B 1. This canal takes off from the Kushk at a distance of 4 versts and about 380 sagues or 3 miles and 303 yards to the south of Pillar No. 22 and 2 versts and 230 sagues or 1 mile and 1,120 yards from the Kara Tepe mound. Running in a northerly direction it passes a small Afghan village situated about half a verst lower down and thence flows north-west between the Kara Tepe mound and the hills on the west irrigating some cultivated land on its course. The total length of this canal amounts to nearly 4 versts or about 2½ miles. The area of the lands irrigated by this canal amounts approximately to 72 deciatines or 194½ acres, of which 50 deciatines or 135 acres are at present occupied by the main crop marked on the map in yellow. The Afghan representative stated that there were 22 families of Achakzai Afghans settled at Kara Tepe who cultivate the lands irrigated by this canal.

4. The fourth canal proceeding on up stream is the Chapgul canal shewn on the annexed map by the letter C. This canal, which is dry at the present moment, takes off from the River Kushk at the foot of a scarp on the left bank at a distance of about 1 verst and 470 sagues or 1 mile and 513 yards from the present head of the Kara Tepe Kalan canal marked B 1, and 4 versts and 170 sagues or about 2 miles and 1,564 yards from the Kara Tepe mound. According to the explanations given by the Afghans water only enters this canal when the Kushk River is in flood. The Afghan representative stated that this canal ran dry a month ago. The Chapgul canal follows a direction almost due north near the foot of the hills on the left side of the valley for a distance of nearly 3 versts or 2 miles and irrigated during this spring two acres of land. On both sides of the canal are seen here and there traces of last year's cultivation, but the Afghan representative stated that only two families of Alizais were now located near this canal, the remainder having all moved further up the river. The river bed was inspected and found to be quite dry for a distance of nearly 3 versts or 2 miles to the south of the head of the Chapgul canal. The Afghans explain that this peculiarity of the river



can be seen also in several places higher up the valley as far as the town of Kushk and maintained that the river is largely fed by springs emanating from the marshes along its banks such as those below the head of the Chihal Dukhtar canal and those near Kara Tepe.

5. The fifth or the Khwajah Jir canal, marked on the annexed map by the letter D, takes off from the Kushk 170 sagues or about 397 yards to the east of an Afghan village and at a distance of about 6 versts and 100 sagues or 4 miles and 233 yards above the head of the Chapgul canal and 1 verst and 440 sagues or about 1 mile and 443 yards to the south of the Ziarat-i-Khwajah Jir called by the Turkomans Kuzganli, and 1 verst and 360 sagues or 1 mile and 257 yards to the north of the Ziarat-i-Chihal Dukhtar. The total length of the canal without counting its branches amounts to nearly 5 versts or 3 miles and 600 yards. From the head for a distance of a little more than two versts the canal flows parallel to and not far from the bed of the river, then near the ruins of Kuzganli it leaves the bed of the river bending westwards about quarter of a verst or some 300 yards, and from there flows northwards irrigating the cultivated lands which are met with here and there, on both sides of the canal, for a distance of about 3 versts. The total area of these lands which are cultivated by Alizai Afghans amounts approximately to 70½ deciatines or 190 acres, of which 62½ deciatines or 168 acres are occupied by the main crop marked on the annexed map in yellow. The Afghan representative stated that there were altogether 38 Alizai families cultivating the land watered by this canal.

6. The sixth canal marked on the annexed map by the letter E is known as the Pul-i-Khishti canal from its taking off from the river close to and below the old ruined brick bridge of that name, at a distance of 230 sagues or about 537 yards east of the Mound of Chihal Dukhtar and two versts above the head of the Khwajah Jir canal. The head of the Pul-i-Khishti canal was found dry and the Afghan representative stated that this head as well as the Kara Tepe Paiyin canal, marked on the map by the letter B, was closed last year by the Amir's orders. According to the explanations of Muhammad Paimda Khan when the complaints of the Russian Authorities against the infractions of Article 3 of Protocol 4 of 10th—22nd July 1887 were communicated to the Amir, His Highness sent an officer from Herat to enquire whether any new canals had been opened on the left bank of the Kushk between Kara Tepe and Chihal Dukhtar, and having received the report that the two canals marked on the map B and E had been opened by the Afghan cultivators three years ago, the Amir ordered them to be immediately closed. The cultivated lands near the Pul-i-Khishti canal are now irrigated by water brought into it by a branch from the Chihal Dukhtar canal and are shewn with the lands watered by the latter. The total length of the Pul-i-Khishti canal amounts to 5 versts or about 3½ miles.

7. To the south of the Ziarat-i-Chihal Dukhtar at a distance of 3,250 yards according to the English map and 3,100 yards above the ruins of Pul-i-Khishti, the seventh canal known as the Chihal Dukhtar canal and



marked on the map annexed to the present Protocol by the letter F takes off from the Kushk, and running northwards along the left side of the valley it irrigates some lands situated near an Afghan village to the south of the latitude of Chihal Dukhtar which do not concern the object of the present inspection. Further on the Chihal Dukhtar canal divides into three branches (one of which conducts its waters into the old bed of the Pul-i-Khisti canal) and irrigates on its way lands to the extent of  $2\frac{1}{2}$  versts or about  $1\frac{1}{2}$  miles to the north of latitude of the ruins of Chihal Dukhtar marked in large letters on the map No. 2 annexed to Protocol No. 4 of 10th—22nd July 1887. The total area of the lands irrigated by the Chihal Dukhtar canal sited to the north of the said parallel of latitude amounts to 146 deciatines or about 395 acres of which 107 deciatines or about  $289\frac{1}{2}$  acres are occupied by the main crop marked in yellow on the annexed map. The Afghan representative stated that there were 75 families of Alizais settled along this canal.

8. The total area of the standing corn and the vegetable gardens on the 19th—31st May 1893 (the day upon which the present inspection was concluded) on the left bank of the Kushk between Kara Tepe and Chihal Dukhtar watered by the above mentioned canal, amounts approximately to 288 deciatines or 779 acres. Of this amount 219 deciatines or 592 acres are occupied by the main crop, called by the Afghans the Safed barg and harvested about the month of June; and the remainder, *vis.*, 69 deciatines or 187 acres is occupied by vegetable gardens and by the minor crop called by the Afghans the Sabaz barg and harvested during the autumn. The Afghan representative maintains that the lands occupied by the minor crop are only watered when the irrigation of the main crop is concluded.

In some places arable land has been recently ploughed up.

(Sd.) V. IGNATIEW.

(Sd.) CHARLES E. YATE, *Lieut.-Col.*

(Sd.) L. ARTAMANOW.

(Sd.) H. D. NAPIER, *Lieut.*

Seal of

PAINDA KHAN.

CHARLES E. YATE, *Lieut.-Col.,*

*Her Britannic Majesty's Commissioner.*



## AFGHANISTAN.

APPENDIX No. XI.—*Page 333.*

## DESCRIPTION OF THE RUSSO-AFGHAN FRONTIER FROM LAKE VICTORIA TO THE TAGHDUMBASH.

The first pillar has been erected at the eastern extremity of Lake Victoria at a spot which corresponds with a line crossing the centre of the Lake from west to east. From this pillar the frontier line takes a southern direction and, crossing the small gulf of Lake Victoria, proceeds to pillar No. 2 which is situated on the nearest spur of the Nicolas range.

From this latter pillar the line ascends the crest of the above-mentioned spur which it follows to Peak Concord. After passing this peak the frontier line continues to follow the crest of the same spur till it reaches the main crest of the Nicolas range, forming the watershed between Lake Victoria and the Wakhan Darya, or Ab-i-Panja.

From here the frontier line follows the main crest of the Nicolas range running eastward for nearly six miles, and then changing direction to the north-east, and maintaining this general bearing for a distance of about 15 miles to Peak Lobanov-Rostovski.

From this peak the line follows the main crest of the range for about  $9\frac{1}{2}$  miles until it reaches the top of the Benderski Pass where pillar No. 3 is erected. From pillar No. 3 the line continues to follow the crest of the range (through Peak Elgin) for about 15 miles to the top of the Jaminishur Pass, whence to the Ortabel Pass, a distance of six miles it follows the same crest. Pillar No. 4 is erected on the Ortabel Pass. Throughout the whole extent of the line from pillar No. 3 to pillar No. 4, the frontier follows the watershed between the Istik and the Aksu.

From pillar No. 4 the line proceeds a little south of east to pillar No. 5, which is situated at a distance of about  $\frac{1}{3}$  of a mile, and after continuing this course for nearly 3 miles from the latter pillar, leaves the main crest of the Nicolas range and, descending a spur, joins the bed of the Gunjabai stream. Here pillar No. 6 is erected. The line now follows the western branch of the Gunjabai stream till it joins the river Aksu, on the right bank of which pillar No. 7 is erected. From there the frontier line follows the Aksu to the spot where it receives the waters of the Mihmanyoli and here, on the left bank of the Aksu, is erected pillar No. 8.

The line follows the Mihmanyoli stream for about two miles, when it leaves the bed of the stream and ascends a small knoll situated on the right bank on which pillar No. 9 is constructed. It next proceeds towards Lake Bakhmardin, and, after reaching the lake, follows for about a mile and a half the western arm of the Kachka-su stream which empties itself into the lake.

On leaving this arm, and following an east-south-easterly direction, pillar No. 10 is reached at 2·6 miles, and pillar No. 11 at 1·7 miles further in the same direction. Pillar No. 11 is erected in the Tagharmansu valley at the mouth of a small unnamed stream draining into the Tagharmansu from the east. Following this stream for about a mile, the line passes pillar No. 12 and reaches a spur of a branch of the Mustagh (called Sarikol in the English map) which it follows as far as peak Povalo-Schveikovsky on the Mustagh (or Sarikol) chain which forms the frontier of Chinese territory.

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## AFGHANISTAN.

## APPENDIX No. XII.—Page 333.

*A Table of the Latitude and Longitude of the Boundary Pillars erected by the Joint Commission for the delimitation of the Russo-Afghan Frontier on the Pamirs in the year 1895, from Astronomical Observations by Lieutenant-Colonel Zaliessky.*

Number of boundary pillars.	Latitude.	Longitude.	Description of the pillars and of the places where they are placed.
Pillar No. 1	37° 26' 10" (Astronomical Observation).	43° 26' 52" Observation.	The pillar is erected on an island which rises 30 feet above the level of the lake, and which is situated at the mouth of the river Chang-Kul-Su, which flows into the lake from the east. The pillar is built of cobble stones in the shape of a pyramid, 9 feet high.
Pillar No. 2	37° 24' 29" (Topographical Observation).	43° 26' 35" cal Observation.	The pillar is erected on the northern slope of a spur of the range "Nicholas II," which runs out from the "Peak of Concord" in the direction of the eastern extremity of the Lake Victoria, and is built of cobble stones in the shape of a pyramid, 9 feet high.
Pillar No. 3	37° 22' 6" (Astronomical Observation).	43° 54' 39" Observation.	The pillar is erected on a rock which is situated 90 feet to the east of the highest point of the Bendersky Pass, and is built in the shape of a pyramid, 9 feet high, out of fragments of the same rock.
Pillar No. 4	37° 23' 54" (Astronomical Observation).	44° 10' 31" Observation.	The pillar is erected on the highest point of the Orta-Bel Pass, and is built of cobble stones in the shape of a pyramid, 9 feet high.
Pillar No. 5	37° 23' 44" (Topographical Observation).	44° 11' 3" cal Observation.	The pillar is erected 2,800 feet to the south-east of Pillar No. 4, on the watershed of the Orta-Bel Ridge, to indicate the direction the frontier should take in its prolongation along the range of "Emperor Nicholas II," and is built of cobble stones in the shape of a pyramid, 9 feet high.
Pillar No. 6	37° 23' 51" (Topographical Observation).	44° 15' 5" cal Observation.	The pillar is erected on a projection of a spur of the range "Nicholas II," which juts out to the bed of the stream Gunji-Bai, at a distance of 3 versts (2 English miles) from its confluence with the river Aksu, and is built of cobble stones in the shape of a pyramid, 9 feet high.

*A Table of the Latitude and Longitude of the Boundary Pillars erected by the Joint Commission for the delimitation of the Russo-Afghan Frontier on the Pamirs in the year 1895, from Astronomical Observations by Lieutenant-Colonel Zaliessky.*

Number of boundary pillars.	Latitude.	Longitude.	Description of the pillars and of the places where they are placed.
Pillar No. 7	37° 22' 33" (Topographical Observation).	44° 15' 7"	The pillar is erected on the right bank of the river Aksu, opposite the mouth of the stream Gunji-Bai at a distance of 20 feet from the bank of the river named, and is built of cobble stones in the shape of a pyramid, 9 feet high.
Pillar No. 8	37° 24' 45" (Astronomical Observation).	44° 22' 0"	The pillar is erected on the left bank of the river Aksu, opposite the mouth of the eastern branch of the river Mihman-Yuli, 70 feet from the bank of the river, and is built of cobble stones in the shape of a pyramid, 9 feet high.
*Pillar No. 9	37° 22' 41" (Topographically fixed).	44° 23' 10"	The pillar is erected on the elevated side of the valley of the river Mihmanguli, 3 versts (2 English miles) from the confluence of its right branch with the river Aksu, and is built of cobble stones in the shape of a pyramid, 8 feet high.
*Pillar No. 10	37° 21' 15" (Topographically fixed).	44° 27' 5"	The pillar is erected at the extremity of a spur of the Mustagh Range, which juts out from Peak Montagu Gerard and divides the waters of the river Tegermen from the waters of the stream Kashkasu, and is built of cobble stones in the shape of a pyramid, 8 feet high.
*Pillar No. 11	37° 20' 15" (Topographically fixed).	44° 23' 50"	The pillar is erected on the bank of the Tegermen Su 10 versts (6·3 English miles) above the point where the stream Bakhmir flows into it, and is built of cobble stones in the shape of a pyramid, 9 feet high.
*Pillar No. 12	37° 20' 5" (Topographically fixed).	44° 24' 50"	The pillar is erected on an elevation of the left bank of a nameless stream, which flows into the river Tegermen-Su near Pillar No. 11, a verst and a half (1 English mile) from its mouth, and is built of cobble stones in the shape of a pyramid, 8 feet high.

\* From sketches of the Russian Topographers.

(Sd.) POVALO-SCHVEIKOVSKY, Major-Genl.,  
Imperial Commissioner.



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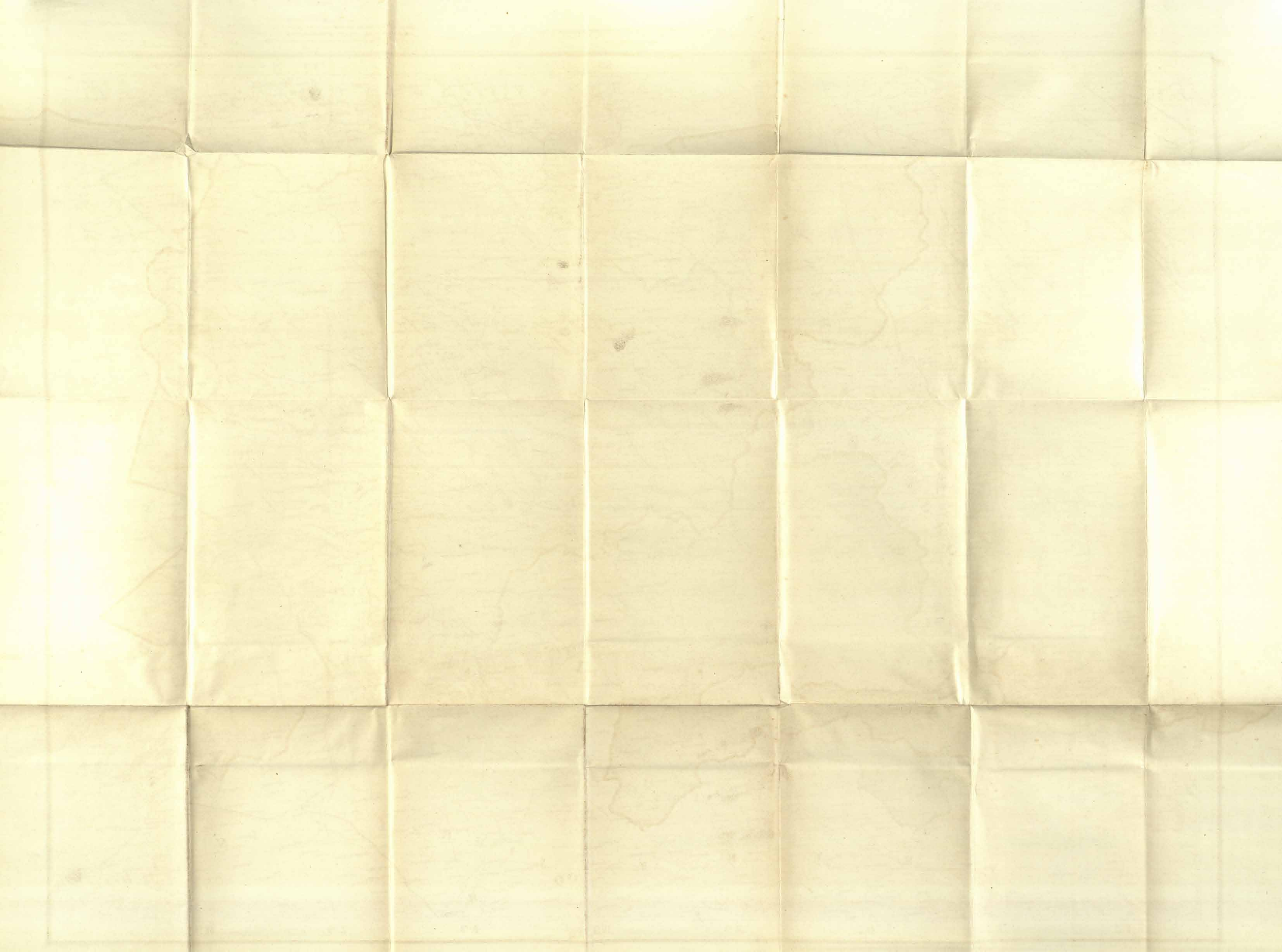
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